

L3BHRAM1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

15 CR 379 (PKC)

5 GEOVANNY FUENTES RAMIREZ,

6 Defendant.

Trial

7 -----x

8 New York, N.Y.

9 March 11, 2021

9:40 a.m.

Before:

10 HON. P. KEVIN CASTEL,

11 District Judge
12 and a jury

13 APPEARANCES

14 AUDREY STRAUSS,

United States Attorney for the
Southern District of New York

15 MICHAEL LOCKARD

16 JACOB GUTWILLIG

Assistant United States Attorneys

17 AVRAHAM CHAIM MOSKOWITZ

18 EYLAN SCHULMAN

Attorneys for Defendant

19 Also Present:

20 Jill Hoskins, Interpreter (Spanish)

21 Gabriel Mitre, Interpreter (Spanish)

Mirta Hess, Interpreter (Spanish)

22 Mercedes Avalos, USAO Interpreter (Spanish)

23 Walter Krochtal, USAO Interpreter (Spanish)

Brian Fairbanks, DEA Agent

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Rivera Maradiaga - Direct

1 (Trial resumed; jury not present)

2 THE COURT: Our jurors are on their way up.

3 Mr. Lockard, you may go to the podium and get yourself
4 ready. Please remain seated.

5 (Jury present)

6 THE COURT: Good morning, everyone. Good to see you.
7 One of the problems with face masks is we can't see one another
8 smiling, which, you know, you always take something from that
9 when you see another human being smiling or looking OK and all
10 that. But I'm going to assume beneath the masks are smiles.

11 So without wasting anymore time, Mr. Lockard, you may
12 proceed.

13 MR. LOCKARD: Thank you, your Honor.

14 DEVIS LEONEL RIVERA MARADIAGA, resumed.

15 DIRECT EXAMINATION

16 BY MR. LOCKARD:

17 Q. Good morning, Mr. Rivera.

18 THE COURT: Mr. Rivera, you're still under oath. You
19 understand that?

20 THE WITNESS: I do, sir.

21 A. Good morning, sir.

22 Q. Yesterday afternoon you were describing a time when you
23 learned that the defendant's cocaine lab had been raided. Do
24 you remember that?

25 A. Correct, sir.

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Rivera Maradiaga - Direct

1 Q. And did you meet with the defendant about that raid?

2 A. Yes, sir.

3 Q. How did that meeting come about?

4 A. Through Metro.

5 Q. And what did Metro say?

6 A. Metro called me on my phone and asked me for us to meet
7 because the defendant wanted to speak with me.

8 Q. And where did you meet?

9 A. In CEMCOL, sir, in San Pedro Sula.

10 MR. LOCKARD: Ms. Hurst, could you pull up Government
11 Exhibit 505.

12 Q. Is that the same location as the prior meeting you had
13 about the cocaine lab?

14 A. Correct, sir.

15 Q. Who was there when you met the defendant?

16 A. Well, I was there, the defendant was there, Metro, and my
17 security were there, sir.

18 Q. And which of you were armed?

19 A. All of us were armed, sir.

20 Q. At that meeting, what, if anything, did the defendant say?

21 A. The defendant said to me: Look, cousin, my -- the drug
22 laboratory was raided, but they couldn't find anything because
23 my contact, Chepe Handal, had already told me they were coming.
24 So they failed at it. They found nothing because I had already
25 taken out all the cocaine that I had there.

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Rivera Maradiaga - Direct

1 Q. Based on that conversation, did you have an understanding
2 of why the defendant was telling you this?

3 MR. MOSKOWITZ: Objection, Judge.

4 THE COURT: Just one second now. You're objecting to
5 a question or you're objecting to an answer?

6 MR. MOSKOWITZ: I'm objecting to both, the question
7 and the expected answer.

8 THE COURT: All right. Let me see.

9 The defendant can express his understanding. When you
10 have a conversation with somebody and somebody says, "What did
11 you understand that person to mean?" you know, ladies and
12 gentlemen, as people with common sense that the person who
13 gives their understanding of what the other person means
14 doesn't have a machine that looks inside their head. OK? But
15 maybe from the way somebody says something, their body
16 language, or otherwise, you could form an understanding of what
17 that meant. All right? That's all this question calls for,
18 and you should take the answer as meaning no more and no less
19 than that. This witness and no witness has the ability to read
20 another person's mind. They can say what they took from it or
21 understood the person to mean, but you can also take into
22 account the actual words and draw your own conclusion.

23 You may answer. And now I have half an answer, so now
24 we have to hear the whole answer. Go ahead. You may answer
25 the question.

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Rivera Maradiaga - Direct

1 A. Can you please repeat the question, sir.

2 Q. From that conversation did you have an understanding of why
3 the defendant was telling you this?

4 A. Yes, sir.

5 Q. What was your understanding?

6 A. Well, that the defendant still had the power to continue to
7 manipulate law enforcement and to continue on with drug
8 trafficking and also to earn my trust, sir.

9 Q. And was this during the time when the defendant was
10 providing security for shipments of cocaine?

11 A. Yes, sir.

12 Q. Did there come a time when you spoke again with the
13 defendant about the lab raid?

14 A. Yes, sir.

15 Q. Approximately when was that?

16 A. Within approximately three to four months, sir.

17 Q. And did you meet with the defendant in person?

18 A. Yes, sir.

19 Q. How did that meeting come about?

20 A. Through Metro, sir.

21 Q. And what did Metro say?

22 A. That the defendant wanted to meet with me to tell me about
23 an event that had taken place, sir.

24 Q. Where did you meet?

25 A. In San Pedro Sula, sir.

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Rivera Maradiaga - Direct

1 Q. Where in San Pedro Sula?

2 A. Also at CEMCOL, sir.

3 Q. Who was there at that meeting?

4 A. I was there, Metro was there, the defendant, and my
5 security, sir.

6 Q. At that meeting, what, if anything, did the defendant say?

7 A. The defendant said to me: Look, cousin, would you know
8 that we caught the cop that was investigating the drug
9 laboratory and also the one that put together the drug
10 laboratory operation?

11 Q. And what did the defendant say about that?

12 A. That the police officer had been drinking that night at
13 Metro's nightclub, and they had taken him to Ticamaya, sir.

14 Q. Did the defendant say who had taken the officer to
15 Ticamaya?

16 A. Yes, sir.

17 Q. What did the defendant say about that?

18 A. The defendant said that he, Metro, and the sicarios he had
19 with him had taken the police officers to Ticamaya to kill him,
20 sir.

21 Q. And what is Ticamaya?

22 THE INTERPRETER: May the interpreter please correct
23 herself in the pronunciation of the name of the town. It is
24 not Picamaya, it is Ticamaya.

25 A. Ticamaya is a small town that is located between San Pedro

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Rivera Maradiaga - Direct

1 Sula and Choloma, sir.

2 MR. LOCKARD: Ms. Hurst, could you show Mr. Rivera
3 Government Exhibit 503.

4 Q. Mr. Rivera, is that a map of the area around San Pedro Sula
5 and Choloma?

6 A. Yes, sir.

7 MR. LOCKARD: Ms. Hurst, if you could go to page 2.

8 Q. Mr. Rivera, does that show Ticamaya in the Ticamaya region?

9 A. Yes, sir.

10 MR. LOCKARD: Government offers Exhibit 503.

11 MR. MOSKOWITZ: No objection.

12 THE COURT: Received.

13 (Government's Exhibit 503 received in evidence)

14 MR. LOCKARD: Ms. Hurst, if we could show page 1, and
15 then zooming in on page 2., could you circle Laguna
16 de Ticamaya.

17 Q. Mr. Rivera, what, if anything, did the defendant say about
18 what happened when the officer was taken to Ticamaya?

19 A. The defendant said that they had put the police officer in
20 this vacant place near the Ticamaya lagoon, sir.

21 Q. And what did the defendant say happened once he was taken
22 to that area?

23 A. The defendant said that they had tortured the police
24 officer there, that they had beaten him up, that they had hit
25 him in the face, and that they had placed a bread bag over the

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Rivera Maradiaga - Direct

1 head as a hood, sir.

2 Q. Did Metro say anything about what happened to the police
3 officer?

4 A. Yes, sir.

5 Q. And what did Metro say?

6 A. Metro said: Look, cousin, we tortured the guy, and you
7 should have seen how the police officer was crying as we were
8 torturing him, he said.

9 Q. What, if anything, was said about how the officer was
10 tortured?

11 A. That they had put a bread bag over his head, sort of like a
12 hood, and that the police officer was asking for them not to
13 kill him because he had a daughter, a small daughter whom he
14 did not want to leave orphan, sir.

15 Q. Did you learn of any other injuries that the police officer
16 suffered?

17 A. Yes, sir.

18 Q. What else did you learn?

19 A. They were putting pins through his fingers, sir, and Metro
20 said that the defendant was hitting him with his rifle over his
21 head and hands and with the handgun on his fingers.

22 Q. Were you told if the officer was killed?

23 THE COURT: Rephrase your question.

24 Q. Did the defendant tell you if the officer was killed?

25 A. Yes, sir.

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Rivera Maradiaga - Direct

1 Q. What did he say?

2 THE COURT: Avoid leading next time.

3 MR. LOCKARD: I'm sorry, your Honor?

4 THE COURT: Avoid leading.

5 MR. LOCKARD: Yes, your Honor.

6 Q. Mr. Rivera, were you told what happened next?

7 A. Yes, sir.

8 Q. What did the defendant say about what happened next?

9 A. The defendant said that he and Metro had made sure that the
10 police officer told them the truth.

11 Q. Told them the truth about what?

12 A. About the fact that he was investigating the drug
13 laboratory and the owners of the property where the drug lab
14 was located, sir.

15 Q. What, if anything, were you told about what the officer had
16 said about the investigation?

17 A. The defendant said that the cop told him that he was
18 investigating the defendant and Metro, but that the name of the
19 business owner, the businessman who was the owner of the
20 property, that he --

21 THE INTERPRETER: Interpreter correction:

22 A. But that he had the name of the business owner, the
23 businessman who was the owner of the property, but that the man
24 had nothing to do with the drug laboratory because the property
25 had been rented to the defendant and Metro.

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Rivera Maradiaga - Direct

1 Q. What, if anything else, were you told about what happened
2 to the officer?

3 A. After that the defendant was happy, sir, because the cop
4 had told him that in the investigation Fuad had not been
5 mentioned. So the defendant was happy because Fuad had not
6 been mentioned after all the truth was extracted from the cop.

7 Q. So then what did they do with the officer?

8 A. The defendant said that after they tortured him, he had
9 taken three mercy shots to his head, sir.

10 THE INTERPRETER: Interpreter correction:

11 A. He had fired three mercy shots to his head.

12 Q. Mr. Rivera, I'd like to ask you about a different topic.

13 A. OK, sir.

14 Q. Did there come a time when you learned that Metro's brother
15 had been killed?

16 A. Yes, sir.

17 Q. And when did you learn this?

18 A. That was approximately in 2012, sir.

19 Q. And what, if anything, did Metro tell you about that?

20 A. Metro asked me to help him investigate who had killed his
21 brother, sir.

22 Q. What, if anything, did Metro say about why his brother had
23 been killed?

24 A. Metro said that his brother had been killed because his
25 brother had taken some cocaine on consignment and that he had

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Rivera Maradiaga - Direct

1 not paid for it, sir.

2 Q. And what did Metro ask from you?

3 A. To investigate, to find out who had killed his brother,
4 sir.

5 Q. And did Metro say if he was doing anything else in addition
6 to asking you for help?

7 A. Yes, sir.

8 Q. What did he say about that?

9 A. That he was doing his own investigation through the
10 defendant's contacts, sir.

11 Q. And after you spoke with Metro, did you try to find out who
12 killed his brother?

13 A. Yes, sir.

14 Q. What did you do?

15 A. I called my contact in San Pedro Sula at the investigative
16 police, sir.

17 Q. Did you learn anything?

18 A. No, sir.

19 Q. Did you speak again with Metro about his brother's murder?

20 A. Yes, sir.

21 Q. When was that?

22 A. Approximately three to five months later, sir.

23 Q. And did you meet in person?

24 A. Yes, sir.

25 Q. Where did you meet?

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Rivera Maradiaga - Direct

1 A. In San Pedro Sula, sir.

2 Q. And who else was there?

3 A. The defendant was there; Metro; one of the members of
4 Metro's security team; my security, sir; and a corrupt police
5 officer, Avila Meza, sir.

6 MR. LOCKARD: Ms. Hurst, could you show the
7 defendant -- could you show Mr. Rivera Government Exhibit 105.

8 Q. Mr. Rivera, do you recognize that person?

9 A. Yes, sir.

10 Q. Who is that?

11 A. Corrupt police officer Avila Meza, sir.

12 MR. LOCKARD: Government offers Exhibit 105.

13 MR. MOSKOWITZ: No objection.

14 THE COURT: Received.

15 (Government's Exhibit 105 received in evidence)

16 BY MR. LOCKARD:

17 Q. Mr. Rivera, had you worked with Avila Meza in drug
18 trafficking?

19 A. Yes, sir.

20 Q. And what type of work did Avila Meza do with regard to drug
21 trafficking?

22 A. He would escort the cocaine shipments that were coming in
23 from Colombia from Colon to Espiritu, Copan, sir.

24 MR. LOCKARD: Thank you, Ms. Hurst. We can take that
25 down.

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Rivera Maradiaga - Direct

1 Q. So at that meeting, what, if anything, did Metro tell you?

2 A. Well, Metro said that they had caught the sicarios who had
3 killed his brother, sir.

4 Q. Did the defendant tell you anything about how those men had
5 been caught?

6 A. Yes, sir.

7 Q. And what did the defendant say?

8 A. The defendant said that he had stopped right in front of
9 them, sir, with his sicarios, and they had stopped the car that
10 the sicarios were in --

11 THE INTERPRETER: And the interpreter inadvertently
12 omitted something, so she will start the utterance again.

13 A. The defendant said that he had stopped his car in front of
14 the -- of them with his own sicarios, and that way they had
15 stopped their car, sir.

16 Q. What else did Metro say about this event?

17 THE INTERPRETER: The interpreter needs to clarify
18 something.

19 THE COURT: Yes.

20 A. Metro said that he had -- that Avila Meza has played --

21 THE INTERPRETER: Interpreter correction:

22 A. Metro said that Avila Meza had placed his car in the back
23 of the sicarios' car and the defendant placed his car in front
24 of the sicarios' car, therein leaving the sicarios' car in the
25 middle, sir.

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Rivera Maradiaga - Direct

1 Q. And what did they do next?

2 A. They took them out of the car and then took them to Naco,
3 Cortes, region, sir.

4 Q. Did Metro say what happened when they were taken to
5 the Naco, Cortes region?

6 THE INTERPRETER: For the interpreter, again repeat
7 the question.

8 Q. Did Metro say what happened next?

9 A. Yes, sir.

10 Q. What was that?

11 A. That they had taken them to Naco, Cortes, sir, and that
12 they had tortured them and killed them there, sir.

13 Q. Did Avila Meza say anything about that?

14 A. Yes, sir.

15 Q. What did Avila Meza say?

16 A. Avila Meza said he tortured them. That they had beaten
17 them. That they tied them up until they got the truth out of
18 them.

19 Q. And did the defendant say anything about that?

20 A. Yes, sir.

21 Q. What did the defendant say?

22 A. Defendant said he had a container of gasoline in his car,
23 that he had pulled it out, he had poured it over the sicarios,
24 and had killed them, sir.

25 THE INTERPRETER: Interpreter correction:

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Rivera Maradiaga - Direct

1 A. That he had set them on fire, sir.

2 Q. Were you asked for anything?

3 THE INTERPRETER: Repeat the question for the
4 interpreter, please.

5 Q. Were you asked for anything?

6 A. Yes, sir.

7 Q. What were you asked for?

8 A. The defendant said to give him \$20,000, sir, to pay the
9 police officers and the sicarios who had participated in that
10 operation, sir.

11 THE INTERPRETER: Correction:

12 A. Who had participated in that murder, sir.

13 Q. And based on this conversation, did you have an
14 understanding of why you were being asked to help pay for the
15 sicarios?

16 A. Yes, sir.

17 Q. And what was your understanding?

18 A. I understood defendant asked me to pay sicarios so he could
19 continue working with me and continue earning my trust, sir.

20 Q. And did you agree to pay some money?

21 A. Yes, sir.

22 Q. How much?

23 THE INTERPRETER: Repeat for the interpreter, please.

24 A. Approximately 20,000 to 40,000 were paid to the defendant,
25 sir.

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Rivera Maradiaga - Direct

1 Q. Mr. Rivera?

2 A. \$20,000 to \$40,000, sir.

3 Q. Mr. Rivera, yesterday you described the defendant's
4 importation of cocaine base on boats?

5 THE INTERPRETER: Repeat the question for the
6 interpreter, please.

7 Q. Yesterday you described how the defendant brought cocaine
8 base to Honduras on boats?

9 A. Yes, sir.

10 Q. Did you ever see one of the boats that the defendant used?

11 A. Yes, sir.

12 Q. Where did you see it?

13 A. At the Acantilado marina in the department of Cortes, sir.

14 Q. And who was there when you saw that boat?

15 A. Metro was there, the defendant was there, I was there, my
16 brother Javier Rivera was there, my security was there, and
17 some women that the defendant had with him -- that Metro had
18 with him were also there, sir.

19 Q. And why were you at the marina?

20 A. I had a boat there, sir, because I always would go out
21 fishing.

22 Q. And why were the other men at the marina?

23 THE INTERPRETER: For the interpreter, the question
24 again, please.

25 Q. Why were the other men at the marina?

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Rivera Maradiaga - Direct

1 MR. MOSKOWITZ: Objection.

2 THE COURT: Excuse me. Let's see now. I'll sustain
3 that.

4 Q. What, if anything, was said to you about why the other men
5 were there?

6 A. The defendant, Metro, and my brother were there because
7 they were going fishing, sir.

8 Q. And the defendant's boat was at the marina? The
9 defendant's boat was at the marina?

10 A. Yes, sir.

11 Q. What, if anything, did the defendant say about that boat?

12 A. Defendant said -- he called me, said: Look, cousin, in
13 this boat I -- I transported the base, but he said to me, that
14 little boat had a secret compartment. And the defendant showed
15 me the secret compartment which they had fixed already. They
16 had already modified it.

17 Q. What did the defendant say about why the boat was being
18 modified?

19 A. To use it for his personal use for fishing, sir.

20 Q. Did that boat have a name?

21 A. It had a name, sir, some lettering there, sir, but I don't
22 recall the name.

23 Q. Did there come a time when you owned that boat?

24 A. Yes, sir.

25 Q. How did that happen?

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Rivera Maradiaga - Direct

1 A. My brother, Javier Rivera, bought it from the defendant,
2 and the defendant gave it to me as a gift, sir.

3 Q. And did you drive that boat?

4 A. Yes, sir.

5 Q. And what, if anything, did you notice?

6 A. I didn't like that boat, sir, because when it was on the
7 waters, it was -- it was choppy and it made a lot -- it created
8 a big wake.

9 Q. So what, if anything, did you do with the boat?

10 A. I gave it to a Guatemalan drug trafficker, sir.

11 Q. And what trafficker is that?

12 A. Jack, sir.

13 Q. Is that the Jack who you bought airplanes with from the
14 United States?

15 A. Yes, sir.

16 Q. Mr. Rivera, are you familiar with the concept of airplane
17 registrations?

18 A. Yes, sir.

19 Q. And based on an airplane's registration number, can you
20 determine whether it's registered in the United States?

21 A. Yes, sir.

22 Q. How can you tell?

23 A. Because of the registration, sir.

24 (Continued on next page)

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Rivera Maradiaga - Direct

1 BY MR. LOCKARD:

2 Q. What about a registration indicates that it's a United
3 States registration?

4 A. It's a November registration, sir.

5 Q. Can you explain what you mean by "a November registration"?

6 A. The letter is in the rear of the plane, sir, in the back
7 part of the plane, with that letter.

8 Q. What letter does "November" refer to?

9 A. ND, sir.

10 THE INTERPRETER: Interpreter correction:

11 A. NV, sir.

12 Q. Were the planes that you and Jack used, did they have the
13 November registration?

14 A. Yes, sir.

15 Q. Did that include -- let me start that over.

16 What letter did the registration number -- the plane
17 that the defendant received at Compita airstrip, what letter
18 did that registration begin with?

19 THE INTERPRETER: Repeat the question for the
20 interpreter, please.

21 Q. For the airplane that the defendant received at Compita
22 airstrip, what letter did that plane's registration begin with?

23 A. It is the letter of November. It was a November
24 registration that it had, sir.

25 Q. Did you discuss maritime cocaine transactions with the

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Rivera Maradiaga - Direct

1 defendant?

2 A. Yes, sir.

3 Q. What did you and the defendant discuss about that?

4 A. They were selling him some cocaine that was coming from
5 Colombia, and the defendant said he wanted me to lend him a
6 million dollars, sir.

7 Q. Is this a conversation you had in person?

8 A. Yes, sir.

9 Q. Approximately when was that?

10 A. That was approximately in 2013, sir.

11 Q. How did that meeting come about?

12 A. Through Metro Javier Choloma and the defendant, sir.

13 Q. And who was present at that meeting?

14 A. The defendant, Javier Choloma, me, and my security, sir,
15 and Metro.

16 Q. And who was Javier Choloma?

17 A. Javier Choloma was a treasurer of the Honduran government
18 in the administration of Roberto Micheletti, sir.

19 Q. And is Micheletti a former president of Honduras?

20 A. Correct, sir.

21 Q. At that meeting, what were you told about this proposed
22 shipment of cocaine?

23 A. The defendant and Metro said they had a load of cocaine
24 with a drug trafficker in Colombia.

25 Q. What, if anything --

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Rivera Maradiaga - Direct

1 THE INTERPRETER: Interpreter correction:

2 A. A drug trafficker from Colombia.

3 Q. What, if anything, did they ask from you?

4 A. They wanted me to lend them \$1 million, sir, to invest in
5 that cocaine.

6 Q. How much cocaine would be involved in the proposed
7 transaction?

8 A. The defendant said it was approximately 2,000 kilos, sir.

9 Q. What was your response?

10 A. What I responded was that I was going to think about it
11 before I lent him that money, sir.

12 Q. Did you have another conversation about that proposed
13 cocaine transaction?

14 A. Yes, sir.

15 Q. And who was that conversation with?

16 A. With Javier Choloma, sir.

17 Q. What did Javier Choloma tell you?

18 A. Javier Choloma said the defendant had squared up at Puerto
19 Cortez, where that shipment of cocaine was going to arrive,
20 sir, and he said that Mr. Fuad had the contact there at the
21 port, sir.

22 Q. Did you say that things were squared up at the port?

23 A. Yes, squared up, so that it would come to the port, sir.

24 It was coming from Colombia. Everything was squared up at
25 Puerto Cortez.

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Rivera Maradiaga - Direct

1 Q. Did you agree to loan the money?

2 A. No, sir.

3 Q. Why not?

4 A. I talked to Javier Choloma, and he said, look, cousin, that
5 business deal, I don't see it as something real. I would
6 advise you not to invest in that, he said.

7 Q. What was your relationship with the defendant and Metro
8 like at this time?

9 A. From the time they killed the police, sir, the relations
10 were no longer that solid.

11 Q. Did anything else happen?

12 A. I did not invest in that load, sir.

13 Q. Did Javier Choloma tell you anything else about Metro and
14 the defendant?

15 A. Yes, sir.

16 Q. What else did Javier Choloma say?

17 A. The defendant and Metro got annoyed because I hadn't lent
18 them those million dollars, sir.

19 Q. Yesterday you described how Metro was the owner of a
20 nightclub in Choloma?

21 A. Yes, sir.

22 Q. Did Metro have any other businesses?

23 A. Yes, sir.

24 Q. What other businesses did Metro have?

25 A. The drug-trafficking business, he had a printing press, and

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Rivera Maradiaga - Direct

1 he was partner in the Athletico Choloma football club with the
2 defendant, sir.

3 Q. Is that a sport that, in America, we would call soccer?

4 A. Yes, sir.

5 THE COURT: This witness is not an expert witness.
6 Ask another question.

7 MR. LOCKARD: Yes, your Honor.

8 BY MR. LOCKARD:

9 Q. What, if anything, did Javier Choloma tell you about the
10 soccer club?

11 A. The defendant and Metro had told Choloma that they were
12 requesting to transfer the ownership rights of the soccer club
13 to Javier Choloma, sir.

14 Q. And what did Javier Choloma say about why they would do
15 that?

16 A. Because the defendant and Metro had told Javier Choloma
17 that they were going down already because of the problem with
18 the drug laboratory, sir.

19 THE INTERPRETER: Interpreter correction:

20 A. Because they had confiscated the drug laboratory from them,
21 sir.

22 Q. Was the transfer of the club before or after you learned
23 that the police officer had been murdered?

24 A. It was afterwards, sir.

25 Q. What, if anything, did Javier Choloma say about why Metro

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Rivera Maradiaga - Direct

1 and the defendant would be worried about the soccer club if the
2 police officer had already been murdered?

3 THE INTERPRETER: For the interpreter, repeat the
4 question -- repeat the response, please.

5 A. Because the drug-trafficking -- the antidrug-trafficking
6 police, or the TDCN --

7 THE INTERPRETER: Interpreter correction:

8 A. -- DLCN antidrug-trafficking police based in Tegucigalpa
9 were all behind the defendant, were already looking for the
10 defendant and Metro, sir.

11 Q. So, Javier Choloma mentioned the DLCN based in Tegucigalpa?

12 A. Yes, sir.

13 Q. And where did the murdered officer work? What part of the
14 police?

15 A. In the investigative police of the DGCI, sir.

16 Q. And where is that based?

17 A. In San Pedro Sula, sir.

18 Q. Mr. Rivera, did there come a time when you met with a
19 representative of the Sinaloa Cartel?

20 A. Yes, sir.

21 Q. When was that?

22 A. That was in approximately 2013, sir.

23 Q. Where did you have that meeting?

24 A. In San Pedro Sula, sir.

25 Q. How did that meeting come about?

L3BKRAM2

Rivera Maradiaga - Direct

1 A. Through Choloma, sir.

2 Q. And who was there at that meeting?

3 A. Juanito Guzman, the Mexican, was there, sir, I was there,
4 Javier Choloma was there, and a worker who worked for the
5 defendant and for Metro, sir, and my brother, Javier Rivera,
6 sir.

7 Q. And who was the individual you described as the Mexican,
8 Juan Guzmán?

9 A. He said he was a cousin of Chapo Guzmán, sir.

10 Q. And what, if anything, did Mr. Guzmán say at that meeting?

11 A. He said that he had been working with the defendant and
12 Metro, and that the defendant and Metro had sold several
13 shipments of cocaine to him, sir.

14 Q. What was the purpose of your meeting with Mr. Guzmán?

15 A. Because around those days, I was looking for a cocaine
16 customer, sir, for me to sell to that customer a shipment of
17 cocaine, sir.

18 Q. And what did Mr. Guzmán say about the cocaine he had bought
19 from the defendant?

20 A. That he had bought cocaine shipments on three occasions
21 from him, sir.

22 Q. And what did he say about those three shipments?

23 A. That he had firstly bought 500 kilos of cocaine from him
24 and that he had given him half of the money when the cocaine
25 was delivered to him.

L3BKRAM2

Rivera Maradiaga - Direct

1 Q. What about the other two shipments?

2 A. Well, about the other two, he said that, you know, with the
3 next one, that the defendant and Metro had sold to him
4 approximately 1,000 kilos, sir.

5 Q. And the third shipment?

6 A. About the third shipment, Juanito said that they were for
7 1500 kilos, sir.

8 Q. By Juanito, you mean Mr. Guzmán?

9 A. Yes, sir.

10 Q. Did Juanito said anything else about that third shipment?

11 A. That because of that third shipment that the defendant and
12 Metro had sold to him, that he had had problems with the
13 defendant and Metro.

14 Q. What was the problem with the third shipment?

15 A. The problem was that a number of the cocaine kilos were
16 wet, sir.

17 Q. And what does it mean for cocaine to be wet?

18 A. The price lowers, sir.

19 Q. And what, if anything, did Juanito say about where the
20 cocaine went after he received it?

21 A. Juanito said that he was taking those cocaine shipments to
22 Mexico, sir.

23 MR. LOCKARD: Ms. Hurst, could you please show
24 Mr. Rivera Government Exhibit 109.

25 Q. Mr. Rivera, do you recognize the person shown in that

L3BKRAM2

Rivera Maradiaga - Direct

1 picture?

2 A. Yes, sir.

3 Q. And who is that?

4 A. A drug trafficker.

5 Q. A drug trafficker that you know?

6 A. Yes, sir.

7 MR. LOCKARD: The government offers Exhibit 109.

8 MR. MOSKOWITZ: No objection.

9 THE COURT: Received.

10 (Government's Exhibit 109 received in evidence)

11 BY MR. LOCKARD:

12 Q. What is this individual's name?

13 A. Pluto, sir.

14 Q. Did you conduct cocaine transactions with Pluto?

15 A. Yes, sir.

16 Q. Did the defendant ever conduct cocaine transactions with
17 Pluto?

18 A. Yes, sir.

19 Q. And how did you learn about this?

20 A. Through Pluto, sir.

21 Q. And what did Pluto tell you?

22 A. Pluto said that the defendant wanted to kill him because he
23 had given him a hundred kilos of cocaine on consignment.

24 Q. I'm sorry, which person had given the other person
25 100 kilos of cocaine?

L3BKRAM2

Rivera Maradiaga - Direct

1 A. That the defendant had given Pluto a hundred kilos of
2 cocaine, sir.

3 Q. And what did Pluto say about those hundred kilos?

4 A. Pluto said that he had given those drugs to another drug
5 trafficker on consignment and that they were refusing to pay
6 him, sir.

7 Q. Why were they refusing to pay Pluto?

8 A. Because those hundred kilos of cocaine were wet, sir.

9 Q. And what, if anything, did Pluto say about how that
10 affected him and the defendant?

11 A. That the defendant wanted to kill him because he was unable
12 to pay him for the 100 kilos of cocaine, sir.

13 Q. And did Pluto ask you for anything?

14 A. Yes, sir.

15 Q. What did he ask?

16 A. For me to talk with Metro and the defendant, so they would
17 not kill him, sir.

18 Q. And did you do that?

19 A. No, sir.

20 Q. What else did you learn about Pluto after you had that
21 conversation?

22 A. That he had been killed, sir.

23 Q. How did you learn that?

24 A. In the news, sir.

25 Q. Did you have a conversation with anyone about Pluto being

L3BKRAM2

Rivera Maradiaga - Direct

1 murdered?

2 A. Yes, sir.

3 Q. Who did you have that conversation with?

4 A. With Vaquero, sir.

5 Q. Who is Vaquero?

6 A. Vaquero is a sicario and part of the defendant's security
7 team, sir, and he worked with the defendant, with Metro, and he
8 also worked for me, sir.

9 Q. And when you say that Vaquero was a sicario, what do you
10 mean by that?

11 A. That he is a person that kills people for money, sir, that
12 he gets paid to do it.

13 Q. Prior to this conversation, had you paid Vaquero to commit
14 murders?

15 A. Yes, sir.

16 Q. How did your conversation with Vaquero about Pluto come
17 about?

18 A. Through Hector Emilio, sir.

19 Q. And how did Hector Emilio arrange that meeting?

20 A. Hector Emilio told Vaquero to meet with me, sir.

21 Q. Before we talk about that meeting, can you describe, who is
22 Hector Emilio?

23 A. Hector Emilio was a drug trafficker from Honduras, sir.

24 Q. Is that someone with whom you trafficked in cocaine?

25 A. Yes, sir.

L3BKRAM2

Rivera Maradiaga - Direct

1 MR. LOCKARD: Ms. Hurst, can you show Mr. Rivera
2 Government Exhibit 114.

3 Q. Mr. Rivera, do you recognize that individual?

4 A. Yes, sir.

5 Q. Who is that?

6 A. Hector Emilio, sir.

7 MR. LOCKARD: The government offers 114.

8 MR. MOSKOWITZ: No objection.

9 THE COURT: Received.

10 (Government's Exhibit 114 received in evidence)

11 BY MR. LOCKARD:

12 Q. Did Hector Emilio have a partner?

13 A. Yes, sir.

14 Q. Who was Hector Emilio's partner?

15 A. Juancho Leon, sir, a drug trafficker from Guatemala.

16 Q. Did that man have a nickname?

17 A. Yes, sir.

18 Q. What is that?

19 A. He went by Juancho, sir.

20 MR. LOCKARD: Ms. Hurst, can you show Mr. Rivera
21 Government Exhibit 115.

22 Q. Do you recognize that person?

23 A. Yes, sir.

24 Q. Who is that?

25 A. That's Rojo, sir.

L3BKRAM2

Rivera Maradiaga - Direct

1 Q. Who is Rojo?

2 A. Rojo is partners with Hector Emilio.

3 Q. Have you conducted drug-trafficking transactions with Rojo?

4 A. Yes, sir.

5 MR. LOCKARD: The government offers Exhibit 115.

6 MR. MOSKOWITZ: No objection.

7 THE COURT: Received.

8 (Government's Exhibit 115 received in evidence)

9 MR. LOCKARD: Thank you, Ms. Hurst.

10 BY MR. LOCKARD:

11 Q. So, turning back to your discussion with Vaquero about
12 Pluto, what, if anything, did Vaquero tell you about Pluto in
13 that meeting?

14 A. What Vaquero said was that the defendant had sought out
15 Vaquero for them to kill Pluto, sir.

16 Q. And what, if anything, did Vaquero say about Pluto's
17 murder?

18 A. That the defendant and Metro had killed Pluto because Pluto
19 had not paid them for a hundred kilos of cocaine that they had
20 given to him on consignment, sir.

21 Q. At this meeting, did Vaquero ask you anything?

22 A. Yes, sir.

23 Q. What did he ask?

24 A. Well, what he said was that he could kill Metro, sir.

25 Q. What did Vaquero say about why he was making that proposal?

L3BKRAM2

Rivera Maradiaga - Direct

1 A. Because he said that Metro and the defendant had some
2 sicarios who wanted to kill me and my brother, sir.

3 Q. And did Vaquero say anything about why the defendant and
4 Metro had hired those sicarios?

5 A. Yes, sir.

6 Q. And what did Vaquero say?

7 A. That those sicarios had been hired to kill me and Javier
8 Rivera, my brother, sir.

9 Q. Did you have an understanding of why the defendant and
10 Metro might want to kill you and your brother?

11 A. Yes, sir.

12 Q. And what is that understanding based on?

13 A. Because since I had not loaned the \$1 million to the
14 defendant, the defendant was mad, sir.

15 Q. What was your response to Vaquero's proposal?

16 A. That if Vaquero could kill Metro, who was the defendant's
17 partner, and the defendant, sir.

18 Q. So, did you and Vaquero reach an agreement?

19 A. Yes, sir.

20 Q. So, what happened after that?

21 A. Vaquero killed Metro, sir.

22 Q. And how did you learn that?

23 A. Through Vaquero, sir.

24 Q. What did Vaquero say about how Metro was killed?

25 A. That he and some mareros, gang members, had gone into his

L3BKRAM2

Rivera Maradiaga - Direct

1 property with the preventive police and with the military
2 police in uniforms that had been provided.

3 THE INTERPRETER: Interpreter correction:

4 A. That he had gone into his property with mareros, gang
5 members, who were dressed in uniforms of the preventive police
6 and the military police, and that these uniforms had been
7 provided to him by the defendant, sir.

8 Q. And what about the plans to kill the defendant?

9 A. The killing of the defendant was ordered, sir, but the
10 defendant ended up injuring the sicarios that were out to kill
11 him, sir.

12 Q. What, if anything, did Vaquero tell you about his efforts
13 to carry out that murder?

14 A. That they had come in with approximately 15 heavily armed
15 men, into the defendant's house, sir, to try to kill him.

16 Q. And then what happened?

17 A. But that the defendant had approximately 25 to 30 people
18 that were heavily armed, and that they ran into them as they
19 were coming into the house, and that they fired at the mareros,
20 sir.

21 Q. And what was the result of that encounter?

22 THE COURT: Excuse me. A question for the
23 interpreter: You said "and that they fired at the"?

24 THE INTERPRETER: At the mareros, gang members, your
25 Honor.

L3BKRAM2

Rivera Maradiaga - Direct

1 THE COURT: Thank you very much.

2 Go ahead. Next question.

3 BY MR. LOCKARD:

4 Q. What did Vaquero say happened after the security for the
5 defendant fired at the gang members that were with Vaquero?

6 A. That he had wounded three of the people that Vaquero had
7 with him, sir.

8 Q. And how did that encounter end?

9 A. That nothing had happened, that they were not able to kill
10 the defendant, and that Vaquero and the sicarios he had with
11 him had just backed away, sir.

12 Q. After that attempt on the defendant's life, what happened
13 next?

14 A. Vaquero told me that the defendant had called him on a cell
15 phone in order to make up because the defendant did not want
16 any additional problems with me, sir.

17 Q. And what was your response to that?

18 A. That that was okay, to let's leave it at that, and that for
19 him not to get into any more trouble with me, and that I would
20 also not get into any more trouble with him.

21 Q. After that, did there come a time when one of your
22 relatives became married to one of the defendant's relatives?

23 A. Yes, sir.

24 Q. And who is that couple?

25 A. Defendant's son and my brother, Javier Rivera's daughter,

L3BKRAM2

Rivera Maradiaga - Direct

1 sir.

2 Q. Mr. Rivera, you've described weapons that the defendant,
3 Metro, you, and others have carried in the course of your
4 cocaine trafficking.

5 Did you have conversations with the defendant about
6 weapons?

7 A. Yes, sir.

8 Q. What, if anything, did the defendant tell you about who
9 supplied him with weapons?

10 A. What the defendant said to me during that first meeting
11 that we held at the gas station in Omoa, Cortes, that the
12 weapons were being supplied to him by a military man from the
13 Honduran military, sir.

14 Q. Did the defendant mention anyone who was involved in
15 supplying him with weapons?

16 A. Metro would also supply him with weapons, sir, based on
17 what the defendant said.

18 Q. And what, if anything, did the defendant say about
19 modifications to firearms?

20 A. The defendant said that he had modified a Glock that he
21 carried with him.

22 Q. And what was that modification?

23 A. That he had installed a selector switch on it, sir, so that
24 the gun could fire in bursts, sir.

25 Q. Mr. Rivera, you've described how you carried weapons and

L3BKRAM2

Rivera Maradiaga - Direct

1 your security carried weapons, right?

2 A. Yes, sir.

3 Q. Were any of those weapons licensed?

4 A. Yes, sir.

5 Q. What weapons were licensed?

6 A. The AR-15 rifle, the .9 millimeter Glock, the .9 millimeter
7 92F, and the 5.7 cop killer, sir.

8 Q. Did you carry those weapons during cocaine transactions?

9 A. Yes, sir.

10 Q. Did you and those that worked for you also carry unlicensed
11 firearms?

12 A. That's right, sir.

13 THE COURT: All right, ladies and gentlemen. We're
14 going to take our midmorning break. Please do not discuss the
15 case among yourselves. Please keep an open mind. And we'll be
16 back in action in about ten minutes. Thank you.

17 Please let our jurors leave first.

18 (Recess)

19 THE COURT: Welcome back.

20 Mr. Lockard, I'm going to ask you to make a special
21 effort to keep your voice up. Thank you.

22 MR. LOCKARD: Yes, your Honor. May I inquire?

23 THE COURT: You may.

24 BY MR. LOCKARD:

25 Q. Mr. Rivera, after your attempt on the defendant's life, did

L3BKRAM2

Rivera Maradiaga - Direct

1 you conduct any further drug-trafficking business with the
2 defendant?

3 A. No, sir.

4 MR. LOCKARD: Ms. Hurst, could you please pull up
5 Government Exhibit 502, the first page.

6 Q. And focusing on the photograph in the top row, Mr. Rivera,
7 do you recognize this person?

8 A. Yes, sir.

9 Q. Who is this?

10 A. Juan Orlando Hernandez, sir, president of Honduras.

11 Q. Did the Cachiros bribe Juan Orlando Hernandez with drug
12 money?

13 THE INTERPRETER: Repeat the question, please, for the
14 interpreter.

15 Q. Did the Cachiros bribe Juan Orlando Hernandez with drug
16 money?

17 A. Yes, sir.

18 THE COURT: I didn't hear your question. Can you
19 repeat your question, please.

20 MR. LOCKARD: Yes, your Honor.

21 Q. Did the Cachiros bribe Juan Orlando Hernandez with drug
22 money?

23 THE COURT: Thank you.

24 A. Yes, sir.

25 Q. When?

L3BKRAM2

Rivera Maradiaga - Direct

1 A. Approximately 2012, sir.

2 Q. How much?

3 A. \$250,000, sir.

4 Q. And how was that delivered?

5 A. In cash, sir.

6 Q. To whom?

7 A. To his sister, Hilda Hernandez, sir.

8 Q. What, if anything, did you expect in return for that money?

9 A. Protection so that they wouldn't arrest us in Honduras,
10 sir, both military police as well as preventive police; for my
11 brother and I not to be extradited to the United States, sir;
12 and that Juan Orlando Hernandez would continue to give us
13 contracts to continue laundering money from drug trafficking,
14 sir.

15 MR. LOCKARD: Ms. Hurst, can you show Mr. Rivera
16 Government Exhibit 113.

17 Q. Mr. Rivera, do you recognize that person?

18 A. Yes, sir.

19 Q. Who is this?

20 A. Tony Hernandez, brother of the president, Juan Orlando
21 Hernandez, sir.

22 MR. LOCKARD: The government offers Exhibit 113.

23 MR. MOSKOWITZ: No objection.

24 THE COURT: Received.

25 (Government's Exhibit 113 received in evidence)

L3BKRAM2

Rivera Maradiaga - Direct

1 Q. Have you met Tony Hernandez in person?

2 A. Yes, sir.

3 Q. When?

4 A. Approximately 2014, sir.

5 Q. And what happened in that meeting?

6 A. The brother of Juan Orlando Hernandez, Tony Hernandez,
7 promised to provide contracts to Inrimar, the company that I
8 had, sir.

9 Q. Did you give Tony Hernandez anything?

10 A. Yes, sir.

11 Q. What did you give him?

12 A. \$50,000 in cash, sir.

13 Q. Where was this meeting?

14 A. In Tegucigalpa, sir, the capital of Honduras.

15 Q. Where in Tegucigalpa?

16 A. At a restaurant, sir.

17 Q. What was the name of that restaurant?

18 A. Denise -- Denny's.

19 MR. LOCKARD: Ms. Hurst, can you show Mr. Rivera
20 Government Exhibit 313.

21 Q. Mr. Rivera, is that a map of the area where you met with
22 Tony Hernandez?

23 A. Yes, sir.

24 MR. LOCKARD: Ms. Hurst, could you please pull up
25 Government Exhibit 502. And enlarge the photograph in the

L3BKRAM2

Rivera Maradiaga - Direct

1 second line.

2 Q. Mr. Rivera, do you recognize this person?

3 A. Yes, sir.

4 Q. And who is this?

5 A. Juan Manuel Zelaya Rosales, sir.

6 Q. And who is Mr. Zelaya Rosales?

7 A. Former president of Honduras, sir.

8 Q. Did the Cachiros bribe Mr. Zelaya with drug money?

9 A. Yes, sir.

10 Q. When?

11 A. Approximately in 2006, sir.

12 Q. How much?

13 A. Approximately half a million dollars, sir.

14 Q. And what, if anything, did Mr. Zelaya agree to do in return
15 for that money?

16 A. Place as minister of security a cousin of mine, sir.

17 Q. And did that happen?

18 A. No, sir.

19 MR. LOCKARD: Ms. Hurst, could you pull up
20 Exhibit 502. And enlarge the picture in the third row.

21 Q. Mr. Rivera, do you recognize this individual?

22 A. Yes, sir.

23 Q. Who is this?

24 A. Ricardo Alvarez, sir.

25 Q. And who is Mr. Alvarez?

L3BKRAM2

Rivera Maradiaga - Direct

1 A. Vice president of Honduras, sir.

2 Q. Did the Cachiros pay drug money to Mr. Alvarez?

3 A. Yes, sir.

4 Q. When?

5 A. Approximately in 2012, sir.

6 Q. And what was Mr. Alvarez's position at that time?

7 A. I don't remember very well, but I believe he was a member
8 of Congress of Honduras, sir.

9 Q. Was he running for office?

10 THE COURT: Keep your voice up. What did you say?

11 Q. Was Mr. Alvarez running for office at that time?

12 THE COURT: Thank you.

13 A. Yes, sir.

14 Q. What office?

15 A. For president of Honduras, sir.

16 Q. How much did the Cachiros give to Mr. Alvarez?

17 A. Half a million dollars, sir.

18 Q. And what, if any, assistance did Alvarez agree to provide
19 to the Cachiros?

20 A. Give us protection, sir, so that my brother, Javier Rivera
21 and I would not be arrested in Honduras, sir; Mr. Ricardo
22 Alvarez committed himself to the fact that myself and my
23 brother, Javier Rivera, would not be extradited to the United
24 States, sir; Mr. Ricardo Alvarez promised to continue providing
25 contracts to the shell company that I told you about, sir;

L3BKRAM2

Rivera Maradiaga - Direct

1 Ricardo Alvarez promised to eliminate the extradition law of
2 Honduras, sir.

3 THE INTERPRETER: Interpreter correction, previous
4 answer:

5 A. To continue to provide contracts to the shell company that
6 I had to launder -- for laundering money.

7 THE INTERPRETER: Interpreter correction. Thank you.
8 Could the witness please repeat immediate previous
9 response.

10 A. Mr. Ricardo Alvarez promised that he was going to abolish
11 the extradition law between Honduras and the United States,
12 sir.

13 (Continued on next page)
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L3BHRAM3

Rivera Maradiaga - Direct

1 Q. And did Mr. Alvarez win that election?

2 A. No, sir.

3 Q. Mr. Rivera, you described yesterday how at some point you
4 began speaking with the DEA.

5 A. Yes, sir.

6 Q. How much time passed between your attempt on the
7 defendant's life before you started to speak with the DEA?

8 THE INTERPRETER: For the interpreter, the question
9 again, please.

10 Q. How much time passed after your attempt on the defendant's
11 life before you started to speak with the DEA?

12 A. It was approximately around that time, sir, between one
13 month and two months.

14 THE COURT: One month and two months after the attempt
15 on the defendant's life?

16 THE WITNESS: Yes, sir.

17 Q. Before you began speaking with the DEA, was there any
18 action against you from the United States?

19 A. Yes, sir.

20 Q. What happened?

21 A. The OFAC office mentioned myself and my brother, sir.

22 MR. LOCKARD: Ms. Hurst, could you show Mr. Rivera
23 Government Exhibit 306.

24 Q. Mr. Rivera, do you recognize what's shown there?

25 A. Yes, sir.

L3BHRAM3

Rivera Maradiaga - Direct

1 Q. Does this relate to the OFAC action that you just
2 mentioned?

3 A. Yes, sir.

4 MR. LOCKARD: The government offers Exhibit 306.

5 MR. MOSKOWITZ: No objection.

6 THE COURT: Received.

7 (Government's Exhibit 306 received in evidence)

8 BY MR. LOCKARD:

9 Q. Mr. Rivera, this chart shows some companies that were
10 included in the OFAC action.

11 A. Yes, sir.

12 Q. Are any of the money laundering companies that you
13 described earlier listed on this chart?

14 A. Yes, sir.

15 Q. After the OFAC action, what, if anything, happened to the
16 money laundering businesses?

17 A. They were seized, sir.

18 Q. And after the OFAC --

19 THE COURT: Let me ask you, sir, what do you
20 understand by money laundering business?

21 THE WITNESS: Those are shell companies that we set up
22 to launder money from our drug trafficking, your Honor.

23 THE COURT: Thank you.

24 THE WITNESS: You're welcome, your Honor.

25 BY MR. LOCKARD:

L3BHRAM3

Rivera Maradiaga - Direct

1 Q. Yesterday when you were describing these companies, did you
2 say whether they did actual business?

3 A. Yes, sir.

4 Q. And how did the businesses launder money?

5 A. I -- for example, the company Inmobiliaria Rivera
6 Maradiaga, that was a company whose line of work was
7 construction, was highway construction, sir. The Honduran
8 government, the administration of Pepe Lobo gave us several
9 highway construction contracts coming from the Honduran
10 government. They went to this property company, sir. My
11 brother Javier Rivera and I, we took money that proceeded from
12 drug trafficking, and we invested in highways through the
13 company that we had, Rivera Maradiaga, sir. Once the contracts
14 were completed on behalf of the company, the administration of
15 Pepe Lobo made payment to us with checks that came from the
16 government of Honduras, sir, and that's how money was
17 laundered, sir, that came from drug trafficking.

18 Q. Mr. Rivera, after the action against the Cachiros from
19 OFAC, what, if anything, happened to the Cachiros' drug
20 trafficking business?

21 A. We did not continue trafficking drugs, sir.

22 Q. After the OFAC action against the Cachiros, what happened
23 to your position in Honduras?

24 A. I don't understand that question, sir. Can you ask it to
25 me in some other way?

L3BHRAM3

Rivera Maradiaga - Direct

1 Q. Of course, Mr. Rivera.

2 After the OFAC action against the Cachiros, did you
3 develop concerns?

4 A. Yes, sir.

5 Q. What concerns did you develop?

6 A. I felt concern, sir, because the DEA office in New York and
7 the prosecutors in the Southern District of New York mentioned
8 me and Javier Rivera through OFAC, sir, and they did not
9 mention the corrupt drug trafficking politicians that we had
10 bribed. They did not mention the other drug traffickers who
11 had worked with us. They did not mention the police and
12 military people who had also worked with us. They did not
13 mention the preventive police of Honduras, sir.

14 Q. And so what concern did that give you?

15 A. Several concerns, sir. The first was that the government
16 of the United States would seek out my brother and I to arrest
17 us, sir. And another concern was that because my brother and I
18 have so much information on drug trafficking corrupt
19 politicians of Honduras, my brother and I feared that they
20 would want to kill us because of the information that we had,
21 sir.

22 Q. And so what did you decide to do?

23 A. I decided, sir, to surrender to the DEA, sir.

24 Q. Now, approximately when did you surrender to the United
25 States and arrive here?

L3BHRAM3

Rivera Maradiaga - Direct

1 A. Approximately in 2015, sir.

2 Q. And at the time that you surrendered, what were you charged
3 with?

4 A. I was charged with drug trafficking, of conspiracy with
5 five kilos of cocaine and more, sir.

6 Q. And based on that charge, what was the mandatory minimum
7 sentence that you faced?

8 A. Ten years, sir.

9 Q. At the time you surrendered to the United States, were you
10 charged with any murders?

11 A. The first time, no, sir.

12 Q. And what charges did you later plead to?

13 THE COURT: What charges did you later?

14 MR. LOCKARD: Plead to.

15 A. I pled to five charges, sir.

16 Q. And did those charges include murders?

17 A. Yes, sir.

18 MR. LOCKARD: Ms. Hurst, could you show Mr. Rivera
19 Government Exhibit 10.

20 Q. Mr. Rivera, do you recognize that? If you would like, you
21 can look at additional pages to see if you recognize it.

22 A. Please, sir.

23 MR. LOCKARD: Can you show Mr. Rivera page 7 and
24 page 8.

25 A. Yes, sir.

L3BHRAM3

Rivera Maradiaga - Direct

1 Q. OK. What is Government Exhibit 10?

2 A. Can you please show it to me again. Yes, sir.

3 Q. What is that?

4 A. That is one of the deceased, sir.

5 Q. Is this a chart of the murders to which you've pled guilty?

6 A. Yes, sir.

7 MR. LOCKARD: Government offers Exhibit 10.

8 MR. MOSKOWITZ: No objection.

9 THE COURT: Received.

10 (Government's Exhibit 10 received in evidence)

11 BY MR. LOCKARD:

12 Q. Now, Mr. Rivera -- thank you, Ms. Hurst.

13 THE COURT: Ladies and gentlemen, just so you know,
14 exhibits that are received into evidence will be available
15 electronically in the jury room during deliberations. So the
16 jury will have the ability to call up any of the exhibits and
17 look at it as much as you want. All right? So just to let you
18 know. You see things flashing by on the screen. If you want
19 to look at something in greater detail, you can do that in the
20 jury room. We've made this arrangement for you there.

21 THE INTERPRETER: Your Honor, before proceeding, the
22 interpreter would like to correct one of her recent renditions.
23 When the witness was asked about what the document on the
24 screen was, the interpreter incorrectly said "one of the
25 deceased," and what the witness said, "This is about those that

L3BHRAM3

Rivera Maradiaga - Direct

1 were killed."

2 THE COURT: Thank you.

3 MR. LOCKARD: In fact, Ms. Hurst, if you could please
4 bring Exhibit 10 back up. And on the last page -- I'm sorry,
5 the next to last page, line 75.

6 THE COURT: All right. So let me see whether I
7 understand this. Exhibit 10 has an Appendix A which is two
8 pages and an Appendix B which is one page, is that correct?

9 MR. LOCKARD: Correct, your Honor, and Appendix A,
10 which is three pages.

11 THE COURT: Appendix A is three pages?

12 MR. LOCKARD: Correct, your Honor.

13 THE COURT: All right. This, what's on the screen
14 now, is the third of the three pages of Appendix A, is that
15 correct?

16 MR. LOCKARD: Yes, your Honor.

17 THE COURT: Thank you.

18 BY MR. LOCKARD:

19 Q. Looking at line 75, Mr. Rivera, is the murder of Metro
20 listed in that appendix?

21 A. Yes, sir.

22 MR. LOCKARD: Thank you again, Ms. Hurst.

23 Q. Mr. Rivera, you described your plea as a cooperation
24 agreement?

25 A. Yes, sir.

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1 Q. What are some of the things that you are required to do
2 under that agreement?

3 A. To tell the truth, to testify each time that the government
4 asks me to, and to not commit any more crimes, sir.

5 Q. And what is your understanding of what the government will
6 do if you do those things?

7 A. That I will be provided with a 5K1 letter, sir.

8 Q. And what's your understanding of who that letter goes to?

9 A. To His Honor, sir.

10 Q. And what is your understanding of what will be included in
11 that letter if it is written?

12 A. As far as I understand, it would include the good things
13 that I've done, sir, testifying, and the bad things that I've
14 done throughout my life.

15 Q. Has anyone guaranteed you that you will get that letter?

16 A. No, sir.

17 Q. If you did get that letter, what's your understanding of
18 how it would affect the mandatory minimum sentence?

19 A. It is the judge who decides that, sir.

20 Q. Do you have any understanding of who will impose your
21 sentence?

22 A. Yes, sir.

23 Q. Who will impose the sentence?

24 A. The judge, sir.

25 Q. Has anyone made you any promises about what sentence you

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Rivera Maradiaga - Direct

1 will receive?

2 A. No, sir.

3 Q. Now, Mr. Rivera, you're currently in prison, is that
4 correct?

5 A. Yes, sir.

6 Q. Did there come a time when you saw the defendant in prison?

7 A. Yes, sir.

8 Q. How many times did that happen?

9 A. On two occasions, sir.

10 Q. Do you have any understanding of whether that was supposed
11 to happen?

12 A. No, sir.

13 Q. Just to clarify, you don't have an understanding or it
14 wasn't supposed to happen?

15 A. No, I apologize, sir. It was not supposed to happen, sir.

16 Q. Have you since been moved to a different jail?

17 A. Yes, sir.

18 Q. So starting with the first time, how is it that you saw the
19 defendant?

20 A. I went to shower using the shower where the defendant was,
21 sir, that is, in the unit where the defendant was housed, sir.

22 Q. Did you expect to see him there?

23 A. No, sir.

24 Q. What happened when you saw him?

25 A. When the defendant saw me, he started to greet me. We

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Rivera Maradiaga - Direct

1 greeted each other, sir, then we said a prayer together, and
2 the defendant started crying, sir. Then the defendant started
3 talking, sir.

4 Q. And what did he say?

5 A. The defendant started cursing the president of Honduras,
6 Juan Orlando Hernandez, because defendant was saying that the
7 president of Honduras was to blame for his incarceration, sir.

8 Q. When you saw the defendant in prison, what, if anything,
9 did he say about meetings he had before his arrest?

10 A. The defendant said that he had met with Comisionado
11 Martinez and a member of the military, of the Honduran Air
12 Force that had been sent by Juan Orlando Hernandez to meet with
13 the defendant.

14 Q. And what did the defendant say about that meeting?

15 A. The defendant said that the defendant had met with that
16 military officer sent by Juan Orlando Hernandez and with
17 Comisionado Martinez, and that the military officer told the
18 defendant that Juan Orlando Hernandez was sending him the
19 message to sell him the money laundering -- the money
20 laundering company that he had, sir, and that he would pay the
21 defendant \$13 million for his company, sir.

22 Q. And when you saw the defendant, did he describe any other
23 meetings that happened before his arrest?

24 A. Yes, sir.

25 Q. What did the defendant say about that?

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Rivera Maradiaga - Direct

1 A. He said that he had met with Juan Orlando Hernandez on two
2 occasions.

3 Q. And what did the defendant say about those two meetings?

4 A. The defendant said that he had met with him at this house
5 located in Choloma, Cortes, which belonged to Mr. Fuad.

6 Q. And what, if anything, did the defendant say happened at
7 that meeting?

8 A. During that meeting, the defendant said that he had given
9 Juan Orlando Hernandez 450,000 lempiras, sir.

10 Q. And what, if anything, did the defendant say about the
11 second meeting?

12 A. That the defendant and Fuad had traveled to Tegucigalpa,
13 being the capital of Honduras, to pay another bribe to Juan
14 Orlando Hernandez, sir.

15 Q. And did the defendant say anything about whether he
16 expected something in exchange?

17 A. Yes, sir.

18 Q. What did he say?

19 A. The defendant said that what he expected from Juan Orlando
20 Hernandez was his protection and for him not to be arrested in
21 Honduras, sir.

22 MR. LOCKARD: Your Honor, may I consult for a moment?

23 THE COURT: Yes.

24 (Counsel confer)

25 MR. LOCKARD: No further questions, your Honor.

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Rivera Maradiaga - Direct

1 THE COURT: All right. You may cross-examine.

2 MR. MOSKOWITZ: Thank you, your Honor.

3 THE COURT: First, let's take a moment, Mr. Moskowitz.

4 We want to wipe things down.

5 MR. MOSKOWITZ: Your Honor, may we approach while
6 we're waiting for this?

7 THE COURT: Yes.

8 (Continued on next page)

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Rivera Maradiaga - Direct

1 (At sidebar)

2 MR. MOSKOWITZ: I just wanted to ask the Court's --

3 THE COURT: Keep your voice up a little bit.

4 MR. MOSKOWITZ: I wanted to consult with the Court
5 just on a logistical issue. This witness, who has a lot of
6 3500, he obviously doesn't read English. If I want to confront
7 him with something either to impeach or to refresh his
8 recollection, I'm going to need the assistance of an
9 interpreter to show him the document or read him a portion.

10 THE COURT: Just watch --

11 MR. MOSKOWITZ: I'm sorry. I want to kind of figure
12 out with the Court how to do that in a most effective --
13 efficient way.

14 THE COURT: Right. I think I heard Mr. Lockard
15 expressing a willingness to have the interpreters for the
16 witness assist, is that right?

17 MR. LOCKARD: You did hear that, your Honor.

18 THE COURT: OK.

19 MR. MOSKOWITZ: What I'll do, then, is I'll hand it to
20 the interpreter or let him hand it to the interpreter, I'll
21 point where I want them to read it to him to either refresh his
22 recollection or impeach or confront.

23 THE COURT: I get refreshing recollection. I don't
24 know that I get impeachment with a statement that is not the
25 defendant's statement or been adopted by the defendant but it

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Rivera Maradiaga - Direct

1 is reported by somebody else, but I'll hear you on that when
2 the time comes.

3 MR. MOSKOWITZ: OK. Thank you.

4 MR. LOCKARD: Your Honor, would the witness have an
5 opportunity to ask the interpreters to translate additional
6 portions of the document?

7 THE COURT: Yes, yes, yes. It depends. On refreshing
8 recollection, the way -- I learned it back when the analogy is
9 something I'd have to explain to my law clerk, which is you
10 could endeavor to refresh a witness' recollection with a
11 matchbook cover. It doesn't have to be any words. It could be
12 show them that can there and ask them if it refreshes his
13 recollection on a subject. So it's really up to the questioner
14 to decide whether the questioner wants to give -- but it is
15 true that a witness can read -- in the course of looking at a
16 document, can read any portion the witness wants to. They're
17 not restricted. So in that sense if the witness says, could I
18 have more of this translated -- then, of course, you get
19 redirect, so --

20 MR. LOCKARD: Of course.

21 THE COURT: I don't think there's going to be much of
22 this.

23 All right. I think you're all clean and ready to go.

24 (Continued on next page)

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Rivera Maradiaga - Cross

1 (In open court; jurors present)

2 THE COURT: The interpreters have an exhibit screen
3 also, as does the defendant.

4 Please be seated, everyone.

5 CROSS-EXAMINATION

6 BY MR. MOSKOWITZ:

7 Q. Mr. Rivera, you are a murderer, correct?

8 A. I was a murderer, sir.

9 Q. You are responsible for murdering 78 people?

10 A. Yes, sir.

11 Q. Those are the murders that you remember, correct?

12 A. Sir, can you please repeat the question or perhaps rephrase
13 it, because I am not understanding it, please.

14 Q. The number 78 of people that you killed, that's the number
15 of people that you remember murdering?

16 A. Well, the -- not the people whose deaths I caused, sir,
17 with the help of drug politicians and blood-thirsty killers
18 like your client, sir, that number was 78.

19 Q. When the government asked you how many people did you
20 murder, you knew right away the number was 78?

21 A. It was 78 people.

22 Q. That's not what I asked you, Mr. Rivera. I asked you when
23 the government asked you how many people did you murder, did
24 you know right away that the number was 78?

25 A. It was 78 people, sir.

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Rivera Maradiaga - Cross

1 THE COURT: No, you're not listening to the question.
2 Try it again.

3 Q. At some point when you were meeting with the government,
4 they asked you how many people did you kill, correct?

5 A. Yes, sir.

6 Q. And in response to that question, did you know right away,
7 oh, yes, I killed 78 people?

8 A. I started to remember, sir, how many people it was that I
9 had killed.

10 Q. And the number that you ultimately remembered was 78,
11 correct?

12 A. Because it was 78 people, sir, correct.

13 Q. You're sure there weren't any more?

14 A. Yes, sir.

15 Q. Now, among the people that you killed, there were women,
16 correct?

17 A. Yes, sir.

18 Q. Some children?

19 A. That too, sir.

20 Q. You murdered high-ranking government officials in Honduras,
21 correct?

22 A. Yes, sir, with the help of drug trafficking politicians in
23 Honduras, sir.

24 Q. I'm sure you had plenty of help, but I'm focusing on what
25 you did.

L3BHRAM3

Rivera Maradiaga - Cross

1 THE COURT: No, ask a question.

2 Q. You murdered politicians, correct?

3 A. Yes, sir.

4 Q. Journalists?

5 A. Yes, sir.

6 Q. Other drug dealers?

7 A. That too, sir.

8 Q. A family of other drug dealers?

9 A. I do not recall, sir, but the list includes all the people
10 whose murders I caused, sir.

11 Q. You don't remember, as you're sitting here, whether you
12 murdered family members of other drug dealers?

13 A. Yes, sir.

14 Q. You killed members of your own family?

15 A. Yes, sir.

16 Q. Your sister-in-law, right?

17 A. I don't remember having killed my sister-in-law, sir.

18 Q. You know the name Sonia Ramos?

19 A. Yes, sir.

20 Q. She's the mother of your niece, right, Javier's daughter?

21 A. Yes, sir.

22 Q. You had her murdered?

23 A. Yes, sir, with the help of another drug trafficker because
24 she wanted to kill me and my brother Javier Rivera, sir.

25 Q. You murdered people who tried to interfere with your drug

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Rivera Maradiaga - Cross

1 business?

2 A. Yes, sir.

3 Q. You murdered people who you thought might be cooperating
4 with the government?

5 A. I do not remember that, sir.

6 Q. Do you remember a guy by the name of El Chino?

7 A. Yes, sir, I remember him perfectly well.

8 Q. And you thought he was going to cooperate with the
9 government, right?

10 A. I thought that, sir, and those who -- who I sent to kill
11 him, who planned on killing him.

12 Q. So you killed people who you thought were -- might
13 cooperate with the government, correct?

14 A. Yes, sir.

15 Q. You killed people who hadn't -- who did nothing wrong to
16 you, right?

17 A. Innocent people died, sir.

18 Q. You killed people at the request of others?

19 A. Yes, sir.

20 Q. You got paid to commit those murders?

21 A. Some, yes, sir.

22 Q. Some of the murders you committed personally with your own
23 hands, correct?

24 A. Correct, sir.

25 Q. And other times you had your sicarios, your killers, do the

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Rivera Maradiaga - Cross

1 murders for you, correct?

2 A. Yes, sir.

3 Q. As the head of Los Cachiros, you had sicarios on your
4 payroll, correct?

5 A. Yes, sir.

6 Q. Guys who were on regular salary just to hang around and
7 wait for instructions to do a murder, correct?

8 THE INTERPRETER: Repeat the question for the
9 interpreter -- the response.

10 A. We had -- it's true we had people on our payroll, sir, to
11 kill people, but it wasn't anybody on the streets. It was
12 people who were specialized in killing people at our
13 instruction, sir. Just like Metro, the defendant's partner,
14 sir. He was a murderer. He was paid to kill people, sir.

15 Q. Mr. Rivera, when you had the people on your payroll commit
16 a murder, you didn't pay them any extra. It was just part of
17 their job, correct?

18 A. They were paid to commit murder, sir.

19 Q. You had guys like the Martinez brothers on your payroll,
20 right?

21 THE INTERPRETER: Interpreter correction: "They were
22 paid per murder." Interpreter correction. Thank you.

23 Q. You had guys like the Martinez brothers on your payroll,
24 right?

25 A. They were drug traffickers, sir, and when I ordered them to

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Rivera Maradiaga - Cross

1 kill someone, they did that, sir.

2 Q. And when they killed at your direction, the Martinez
3 brothers, they didn't get extra money?

4 A. They were paid to commit murders, sir.

5 Q. So that was part of their job?

6 THE INTERPRETER: Interpreter correction: "They were
7 paid per murder, sir."

8 Q. Do you remember murdering a guy by the name of Mantequilla?

9 A. Yes, sir.

10 Q. The Martinez brothers helped you with that?

11 A. They captured him, sir.

12 Q. And you didn't pay them for their job, for helping you with
13 that, right?

14 A. They were not paid for that, sir, but the Martinez brothers
15 were given -- paid extra money when drug shipments came in,
16 sir, because -- because they were helping my brother and I.

17 Q. Now, sometimes, Mr. Rivera, you killed the wrong people,
18 correct?

19 A. Sometimes, sir, there -- the people were caused to be
20 murdered were the wrong people, sir.

21 Q. So the target that you were aiming for didn't get killed
22 and somebody else got killed by accident?

23 A. Yes, sir.

24 Q. When I say "by accident," I mean you intended to kill
25 somebody, you just got the wrong person, right?

L3BHRAM3

Rivera Maradiaga - Cross

1 A. The objective was the person who was being sent to be --
2 whose murder was being ordered, sir.

3 Q. And when your sicarios killed the wrong person, you didn't
4 pay them, right?

5 A. Yes, they did get paid, sir. That person did --

6 THE INTERPRETER: Interpreter correction:

7 A. That person did get paid, sir.

8 Q. Now, most of the people that were killed by you were shot,
9 they were shot to death, correct?

10 A. Yes.

11 Q. Some of them, like General Aristides, you remember General
12 Aristides? A-r-i-s-t --

13 THE INTERPRETER: The interpreter's going to ask the
14 witness to repeat the answer.

15 A. Yes, sir, I remember that Freddy Nájera ordered him killed
16 along with myself and other drug traffickers.

17 THE INTERPRETER: Repeat your response for the
18 interpreter, please.

19 A. And the very same colleagues of General Aristides were used
20 to kill him, sir.

21 Q. General Aristides was killed in broad daylight on the
22 street, right?

23 A. Yes, sir.

24 Q. And some of the other people you killed were killed in
25 their homes, correct?

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Rivera Maradiaga - Cross

1 A. I don't recall, sir. There were a lot of murders. Some
2 were -- happened on the street, some happened in homes, but I
3 don't remember.

4 Q. So many murders that you were involved in you can't
5 remember the details of them all, is that correct?

6 A. It was 78 murders, sir.

7 Q. And you can't remember all of the details, correct?

8 A. Not all details, sir, because, remember, the corrupt
9 politicians and the police were the ones who helped us to
10 coordinate all of that, sir.

11 Q. When you targeted a person to be murdered, sometimes the
12 people that were in the neighborhood also got killed, right?

13 A. Some came out wounded, sir.

14 Q. But others were also killed that happened to be in the --
15 right near the target of your murder plan, correct?

16 A. I don't know, sir, because I didn't participate directly in
17 the murders. I sent people out to commit the murders.

18 Q. When you say you don't know, after the sicarios committed a
19 murder that you paid them for or asked them to do, didn't they
20 come back and tell you what they did?

21 A. Correct, sir.

22 Q. But you don't remember all of those reports, correct?

23 A. Not point by point, sir, but what I remember of the people
24 we -- that we had murdered with the assistance of drug
25 trafficking politicians, with the military police, and with the

L3BHRAM3

Rivera Maradiaga - Cross

1 preventive police of Honduras, and with the assistance of
2 defendant's partner were 78 people, sir.

3 Q. Mr. Rivera, the fact that you were able to enlist the help
4 of politicians and policemen and other drug traffickers to help
5 you commit murders, that doesn't make you any less of a
6 murderer, does it?

7 A. No, sir, that --

8 THE INTERPRETER: Interpreter requests repeat of
9 answer.

10 A. In fact, when politicians helped us, we moved about freely
11 in Honduras, sir. That's why the murders were committed, sir,
12 because we had the assistance of all the politicians, sir. We
13 had also -- we counted on the contacts of the defendant, sir,
14 who had contacts in the military police and the preventive
15 police, and we also had the assistance of defendant's partner,
16 sir, who's also a contract killer, sir.

17 Q. Metro was one of your sicarios, correct?

18 A. My contract killer, sir, and partner of your client, sir.

19 Q. Now, when you decided you wanted to have somebody killed,
20 you put the price on that victim's head, correct?

21 A. On some occasions, yes, sir, but on other occasions, the
22 sicario put the price on the person's head.

23 THE COURT: With that, we're going to break for lunch.

24 Ladies and gentlemen, you know what I'm going to say.

25 Please do not discuss the case among yourselves or with anyone

L3BHRAM3

Rivera Maradiaga - Cross

1 else. Please keep an open mind. We'll be back in action at
2 2 o'clock, and thank you. Enjoy.

3 Persons in the courtroom may not leave until the jury
4 has exited, exited the lobby or the elevator lobby area.

5 (Jury excused)

6 THE COURT: All right. Thank you. We're in recess.

7 (Lunch recess)

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L3BKRAM4

AFTERNOON SESSION

2:06 PM

(Trial resumed)

(Jury not present)

THE COURT: We're waiting for our jurors who are on the way up.

(Jury present)

THE COURT: Good afternoon, ladies and gentlemen.

JURY MEMBERS: Good afternoon.

THE COURT: One programming note, and that is, tomorrow we're going to end court a little bit early, around 3:30. We'll take an earlier lunch tomorrow. And, with your permission, maybe we'll make it a little bit shorter lunch period. We could do 45 minutes, we could do 30 minutes, depending on what your preference is. So let's see how it goes. Maybe we'll split that one right in the middle. But that's to let you know. Okay?

In my assessment, at present, we're moving along at a satisfactory pace, but I'll give you any programming notes that I have on how we're doing. It's too soon exactly for me to say, so I'll withhold anything until I have more reliable information.

Mr. Moskowitz, whenever you're ready.

(Continued on next page)

L3BKRAM4

Rivera Maradiaga - Cross

1 DEVIS LEONEL RIVERA MARADIAGA,

2 CROSS-EXAMINATION CONTINUED

3 BY MR. MOSKOWITZ:

4 Q. Mr. Rivera, when we broke for lunch, we were talking about
5 the price you would put on the heads of the victims that you
6 murdered, and you said that sometimes you would set the price
7 and sometimes the sicario would set the price; is that correct?

8 A. Correct, sir.

9 Q. And sometimes the sicario would ask you or would ask for a
10 price, and you'd say, no, I want to pay less, correct?

11 A. We would come to an agreement with the sicario, sir.

12 Q. You would negotiate a price on a person's life, correct?

13 THE INTERPRETER: Please repeat the response.

14 A. We negotiated with the sicarios, sir, the same way your
15 client negotiated the price --

16 THE INTERPRETER: Interpreter, your Honor, requests to
17 consult with my colleague?

18 THE COURT: Granted.

19 (Pause)

20 THE INTERPRETER: Continuing interpretation:

21 A. -- the same way that your client negotiated the price that
22 he wanted to be paid for killing the sicarios, the Metro's
23 sicarios, sir.

24 Q. Mr. Rivera, I didn't ask you anything about Mr. Fuentes in
25 that last question, correct?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. Correct, sir.

2 Q. I asked you about your practices, correct?

3 A. Yes, sir.

4 The practices I had were the same practices as your
5 client had, sir.

6 Q. Sir, once again, I didn't ask you anything about
7 Mr. Fuentes, correct?

8 A. Correct, sir.

9 Q. When you were preparing to testify here and meeting with
10 the prosecutors, did they tell you that every time you answer a
11 question, you should make sure to mention Mr. Fuentes?

12 A. What the prosecutors have told me was to always answer with
13 the truth, sir.

14 Q. So, your mentioning Mr. Fuentes when I don't ask you any
15 questions about him, that's your idea, correct?

16 A. Correct, sir, because it's the truth.

17 Q. Now, Mr. Rivera, the price ranges that you put on people's
18 head varied substantially, from, for example, the most you
19 paid, I think, was \$250,000 to kill General Aristides, correct?

20 A. I recall, with the help of his same colleagues and
21 drug-trafficking politicians, that the price for General
22 Aristides was about \$350,000, sir.

23 Q. And the least that you paid was about \$5,000, correct?

24 A. That's not correct, sir.

25 Q. What's the lowest price you paid to have somebody killed?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. That, I don't recall, sir. There were so many, sir.

2 Q. And the lives of the people that you murdered, they meant
3 nothing to you, right?

4 A. Yes, they did have, sir, because they were living human
5 beings. The problem is, with the help of drug-trafficking
6 politicians, that's how we killed people, sir.

7 MR. MOSKOWITZ: Can I have the last answer read back,
8 Judge? I think I missed something.

9 THE COURT: Yes, you may.

10 (Record read)

11 BY MR. MOSKOWITZ:

12 Q. Sir, the drug-trafficking politicians didn't force you to
13 go kill 78 people, correct?

14 A. They didn't force me, sir, but they did support me, sir, in
15 the things that I did.

16 Q. The decision to kill the 78 people listed on your
17 cooperation agreement was your decision?

18 A. My decision and the decision of the other people who
19 participated in the murders, sir.

20 Q. And you didn't care whether they had families, the victims
21 that you had, right?

22 THE INTERPRETER: Please have the witness repeat his
23 response.

24 A. We were looking for our objective, sir.

25 Q. And you didn't --

L3BKRAM4

Rivera Maradiaga - Cross

1 THE INTERPRETER: Interpreter correction:

2 A. We were focused on our target, sir.

3 Q. You didn't care who suffered as a result of your actions?

4 A. No, sir.

5 Q. You did what you did because it benefited you?

6 A. Me and those who participated in these murders, sir.

7 Q. Now, sometimes the murder victims that you were involved in
8 were tortured before they were killed, correct?

9 A. Correct, sir.

10 Q. Sometimes you personally did the torturing, correct?

11 A. Yes, sir.

12 Q. And sometimes you were just present to watch while your
13 sicarios tortured your victims?

14 A. Yes, sir.

15 Q. And you enjoyed that, correct?

16 A. I enjoyed when they killed the target, sir, but not their
17 families.

18 Q. We're talking about the tortures that you watched. You
19 enjoyed seeing that, right?

20 A. I didn't feel good, sir, but, yes, I did enjoy it.

21 Q. And you enjoyed actually doing the torture, too, not only
22 watching?

23 A. Yes, sir.

24 Q. It made you feel powerful, right?

25 A. Yes, sir.

L3BKRAM4

Rivera Maradiaga - Cross

1 Q. I want to ask you some questions about General Aristides.

2 The general was the head of the government agency that
3 was fighting narcotrafficking, correct?

4 A. Yes, sir.

5 Q. And that agency went by the initials DLCN, correct?

6 A. Yes, sir, the same police force that was out there
7 investigating your client, sir.

8 Q. Mr. Rivera, did I ask you anything about Mr. Fuentes?

9 A. No, sir, but you're mentioning the same body of police,
10 sir, the DLCN.

11 Q. And the DLCN is similar to our DEA, right?

12 A. Yes, sir.

13 Q. And it was the general's job to investigate
14 narcotraffickers like you, right?

15 A. Yes, sir.

16 Q. And to arrest guys like you?

17 A. At that time, no arrest had been carried out. General
18 Aristides was carrying out raids, though, sir.

19 Q. He was seizing properties, correct?

20 A. Yes, sir. He had seized some properties --

21 THE INTERPRETER: Your Honor, may I confer with my
22 colleague?

23 THE COURT: Yes.

24 A. He seized some properties from Fredy Najera and Neftali
25 Duarte Mejia.

L3BKRAM4

Rivera Maradiaga - Cross

1 Q. He was doing his job, right?

2 A. Yes, sir.

3 Q. And that was a threat to narcotraffickers like you?

4 A. Yes, sir.

5 Q. And that's why he was targeted for killing, right?

6 A. That's what we talked about, all of us, with the drug
7 traffickers who participated, sir.

8 Q. So the major drug traffickers in Honduras had a meeting to
9 plan the general's assassination, correct?

10 A. Yes, sir.

11 Q. You had Mr. Duarte was there, correct?

12 A. Who is Duarte, sir?

13 Q. Neftali, does that name ring a bell?

14 A. Yes, sir.

15 Q. He was at the meeting?

16 He was at the meeting?

17 A. Yes, sir, he was at the meeting. He was sent by my
18 brother, sir, and which --

19 THE INTERPRETER: Interpreter correction:

20 A. He was at the finca. He was sent by Fredy Najera to a
21 finca that was the property of my brother, Javier --

22 THE INTERPRETER: Please repeat your response.

23 A. -- so that we could hold the meeting there, sir.

24 Q. So the meeting was at --

25 THE COURT: Excuse me, sir. What's a finca?

L3BKRAM4

Rivera Maradiaga - Cross

1 THE WITNESS: It's a ranch, sir.

2 THE COURT: Thank you very much.

3 BY MR. MOSKOWITZ:

4 Q. So, the meeting of the drug traffickers to discuss the
5 assassination of the general was held at Javier's ranch?

6 A. One of the meetings was held there.

7 Q. And, in addition to Neftali, Ramon Matta was there?

8 A. Ramon Matta was not there, sir. We met with Matta after
9 that, sir.

10 Q. And Eliel Sierra was there?

11 A. We also met with Eliel, but he was not there at that
12 meeting, sir.

13 Q. So besides you and Neftali, who was there?

14 THE INTERPRETER: Please repeat for the interpreter.

15 Q. Besides you and Neftali who was there?

16 A. I was there, Neftali Duarte Mejia was there, his security
17 was there, and my security was there.

18 Q. So it was just you and Neftali, no other big drug dealers?

19 A. Javier Rivera was there, sir, my brother.

20 Q. Now, at the meeting, you discussed getting financial
21 contributions from the other major drug traffickers who didn't
22 come to the meeting, correct?

23 A. Correct, sir. We were going to meet afterward with the
24 other drug traffickers.

25 Q. And you went and you discussed it with other drug

L3BKRAM4

Rivera Maradiaga - Cross

1 traffickers and tried to raise money from them to pay for the
2 assassination?

3 A. I did it, Fredy Najera did it, Neftali Duarte Mejia did it
4 on his own, and then we went out and started seeking out other
5 drug traffickers, sir.

6 Q. So you spoke, for example, to the Montes family,
7 M-o-n-t-e-s?

8 A. Correct, sir.

9 Q. They were major drug traffickers that you worked with,
10 correct?

11 A. Correct, sir.

12 Q. And you spoke to the Valles, correct?

13 A. Correct, sir.

14 Q. And Wilter Blanco?

15 A. Him, too, sir.

16 Q. And Bernabe Escalante?

17 A. Him, too, sir.

18 Q. And you asked each one of them to contribute money to pay
19 for the assassination of General Aristides?

20 A. What I did was relay the message from Fredy Najera, which
21 was if they were interested in contributing towards the death
22 of General Aristides, sir.

23 Q. But you were the one who spoke to all those people I just
24 listed, correct?

25 A. I did speak to them, and Neftali spoke to others, and Fredy

L3BKRAM4

Rivera Maradiaga - Cross

1 Najera spoke to others, and Javier Rivera, my brother, spoke to
2 others, sir.

3 Q. After you had those conversations, you went out and hired
4 the sicarios, correct?

5 A. My brother, Javier Rivera, hired them, sir.

6 Q. Didn't you speak to Enyar Moncada?

7 THE INTERPRETER: For the interpreter, can you please
8 repeat the first name, Enyar?

9 MR. MOSKOWITZ: E-n-y-e-r.

10 THE WITNESS: The correct name is Eyner Moncada, sir.

11 BY MR. MOSKOWITZ:

12 Q. Forgive me.

13 But you spoke to him, right?

14 A. Correct, sir.

15 Q. And you spoke to Flores Maradiaga?

16 A. Yes, sir.

17 Q. And Flores Maradiaga was a police officer, correct?

18 A. Yes, a high-ranking officer with the preventive police,
19 sir.

20 Q. And he was one of your sicarios?

21 A. Correct, sir.

22 Q. So you had a high-ranking member of the police department
23 as one of your assassins, correct?

24 A. Yes, sir, just as your client did, just as he had
25 Comisionado Martinez and the other group of corrupt police

L3BKRAM4

Rivera Maradiaga - Cross

1 officers with Pico, sir.

2 Q. Mr. Rivera, did I ask you anything about Mr. Fuentes on
3 that question?

4 A. No, sir. I am merely giving you an idea of what we did,
5 just as your client did, sir.

6 Q. Once again, did I ask anything about Mr. Fuentes?

7 MR. LOCKARD: Objection.

8 THE WITNESS: No, sir.

9 BY MR. MOSKOWITZ:

10 Q. Now, when you met with Flores Maradiaga, you negotiated the
11 price for General Aristides, correct?

12 A. Flores Maradiaga set the price, sir.

13 Q. Neftali asked you to try to get the best price you could
14 get, right?

15 A. Neftali said that whatever they wanted to charge, he would
16 pay, sir.

17 Q. And the price you ended up negotiating was \$300,000,
18 correct?

19 A. Approximately between 300 and 350 thousand dollars, sir.

20 Q. You don't remember the exact price that you paid to kill
21 the general who was investigating your drug-trafficking
22 organization?

23 A. With all due respect, counselor, it was between 300,000 and
24 350 thousand dollars, sir. I am giving you an approximate
25 amount, sir.

L3BKRAM4

Rivera Maradiaga - Cross

1 Q. And what I'm asking you, Mr. Rivera – since you had very
2 specific recollections of conversations that took place ten
3 years ago – are you telling us that you don't remember the
4 price that you paid to murder and assassinate the general who
5 was leading the antidrug campaign in Honduras?

6 MR. LOCKARD: Objection.

7 THE COURT: Basis?

8 MR. LOCKARD: Compound.

9 THE COURT: I'll allow it.

10 THE WITNESS: That is why I am giving you an
11 approximate amount, sir, that it was between 300 and 350
12 thousand dollars, sir.

13 BY MR. MOSKOWITZ:

14 Q. Now, after you negotiated the price to assassinate the
15 general, you called up Neftali, correct?

16 A. That's not correct, sir.

17 Q. Didn't you call Neftali and tell him what the price was
18 going to be to assassinate the general?

19 A. I did not call him, sir. That is not correct.

20 Q. Well, did you tell the government, in any of your
21 debriefing sessions, that you called Neftali and told him the
22 price?

23 A. I met with Neftali at the same gas station where I met with
24 Eyner Moncada and Flores Maradiaga, sir.

25 Q. So it wasn't a call, it was a meeting, correct?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. We met at that very place, sir, because Mr. Neftali was
2 there.

3 Q. So, Neftali was there when you negotiated the price?

4 A. Yes, sir. He was in a separate car.

5 Q. Did you tell the government, at this point in time, that
6 you negotiated the price and then reported it to Neftali?

7 A. Yes, sir. In general terms, I did mention it to the
8 prosecutor's office, sir.

9 Q. I'm not asking you in general terms. I'm asking you
10 whether you told the prosecutor that you negotiated the price
11 and then reported it to Neftali?

12 A. I do not remember what I said the first time, sir, but what
13 I am remembering here now is that I met with Neftali at that
14 gas station.

15 Q. You don't remember what you told the government in the last
16 few months about the killing of General Aristides?

17 A. I do not recall details, sir. In general terms, I do
18 recall, but I don't remember the date of what I said to the
19 prosecutors, sir.

20 Q. I didn't ask you the date, sir.

21 Do you recall telling the prosecutor that after you
22 negotiated the price for the assassination of General
23 Aristides, you contacted Neftali, you told him what the price
24 was, and he was very happy because he thought it would be more?

25 A. He was happy, sir.

L3BKRAM4

Rivera Maradiaga - Cross

1 Q. You reported the price to him, and he told you, that's good
2 because I thought it would be more, correct?

3 A. Correct, sir.

4 Q. Now, after the general was murdered, you received a call
5 from Flores Maradiaga, correct?

6 A. Yes, sir.

7 Q. He reported to you that the general had been assassinated?

8 A. Yes, sir.

9 Q. And you then called Neftali, correct?

10 A. Yes, sir.

11 Q. And you set up a meeting with Neftali, correct?

12 A. With Neftali, Fredy Najera, and my brother, sir, in
13 Tegucigalpa.

14 Q. When you came to the meeting in Tegucigalpa, the other
15 narcotraffickers congratulated you on what a good job you had
16 done, correct?

17 A. We were there talking about the general's death, and they
18 were happy, sir.

19 Q. And they were congratulating you, correct?

20 A. Yes, sir.

21 Q. And you felt good about it, right?

22 A. Yes, sir.

23 Q. You bragged to Fredy Najera, this is the type of people
24 that we have in your organization, correct?

25 A. Can you please repeat the question, sir?

L3BKRAM4

Rivera Maradiaga - Cross

1 MR. MOSKOWITZ: Can we have the question read back,
2 please?

3 THE COURT: Yes.

4 (Record read)

5 THE WITNESS: What people are you talking about, sir?

6 BY MR. MOSKOWITZ:

7 Q. I don't know. Who were you referring to when you were
8 telling Fredy Najera, this is the type of people we have?

9 MR. LOCKARD: Objection.

10 THE COURT: I'm sorry?

11 MR. LOCKARD: Objection. It misstates the answer.

12 THE COURT: I think the witness can handle the
13 question.

14 Do you understand the question?

15 THE WITNESS: Perhaps, your Honor, if it could be
16 explained to me from a different --

17 MR. MOSKOWITZ: I'll try again.

18 BY MR. MOSKOWITZ:

19 Q. When you met with Fredy Najera, and he congratulated you,
20 you said, that's the type of people we have, correct?

21 A. Yes, sir.

22 Q. And who were you referring to?

23 A. Eyner Moncada and Flores Maradiaga, sir.

24 Q. And you were proud of them, right?

25 A. Yes, sir.

L3BKRAM4

Rivera Maradiaga - Cross

1 Q. They were your employees, correct?

2 A. My brother and I met Eyner Moncada and Flores Maradiaga
3 through your client, through your client's partner, sir, Metro.

4 Q. And you used them as sicarios, correct?

5 A. Correct, sir. We used the sicarios that your client's
6 partner had, sir.

7 THE COURT: All right. I'm going to strike that
8 portion of the answer that follows after the words "correct,
9 sir." The reason I'm striking the answer is, it wasn't what
10 you were asked.

11 You were asked: "And you used them as sicarios,
12 correct?" That was the question you were asked, and you went
13 beyond the question to provide information that wasn't asked of
14 you. Listen to the words of the question, answer the question
15 that was asked, and that's it. Do you understand?

16 THE WITNESS: Correct, your Honor, and I apologize.

17 THE COURT: Next question.

18 BY MR. MOSKOWITZ:

19 Q. Now, after your meeting with Neftali and Fredy Najera, you
20 met that same night with Flores Maradiaga, correct?

21 A. That same day, sir.

22 Q. I'm sorry?

23 THE INTERPRETER: The interpreter would repeat the
24 answer: That same day, sir.

25 Q. You met with him at a restaurant, correct?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. Correct, sir.

2 Q. And Eyner Moncado was there?

3 A. For the interpreter repeat the question, please.

4 Q. Eyner Moncado was also there?

5 A. Yes, sir.

6 Q. And another man by the name of Subal Barro S-u-b-a-l

7 B-a-r-r-o?

8 A. Correct, sir.

9 Q. And Subal Barro was another sicario, correct?

10 A. Yes, sir.

11 Q. And he was also a policeman, correct?

12 A. Yes, sir.

13 Q. And those three guys were part of the hit team that was put
14 together to kill the general, right?

15 A. Yes, sir.

16 Q. And while you were meeting with them, some money was
17 brought to you, correct?

18 A. Yes, sir.

19 Q. And you paid the murderers that night, correct?

20 A. That day, sir, correct.

21 Q. And that was, you said, between 300 and 350 thousand
22 dollars, correct?

23 A. Correct, sir.

24 Q. Now, by the way, the general was killed after he parked his
25 car, correct?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. I do not know that, sir.

2 Q. Well, did you tell the government how the general was
3 killed?

4 A. Yes, sir, but I do not remember, sitting here now.

5 Q. You don't remember how the general was killed, or you don't
6 remember what you told the government about how the general was
7 killed?

8 A. I don't remember the first time that I told them how the
9 general had been killed, sir.

10 Q. As you're sitting here today, do you recall what you were
11 told by the murderers as to how they murdered General
12 Aristides?

13 A. I remember that Eyner Moncado and Flores Maradiaga were
14 following him in a car, sir, and once he parked, that's when
15 they killed him, sir.

16 Q. And you certainly told that story to the government,
17 correct?

18 A. We talked in general terms, sir.

19 Q. Sir, in the time that you were meeting with the government
20 discussing the murder of General Aristides, did you tell them
21 what you knew about how he got killed, not in general but in
22 specifics?

23 A. I don't remember that it was in detail, sir, but that it
24 was in general terms, yes.

25 Q. Do you remember telling the government, at least on one

L3BKRAM4

Rivera Maradiaga - Cross

1 occasion, that the general was killed while he was out walking
2 his dog?

3 A. Generally speaking, yes, sir.

4 Q. Okay. But that wasn't true, right?

5 A. The thing is that I do not remember, sir, how it is that
6 General Aristides Gonzalez was killed, sir.

7 Q. It wasn't important enough of an event in your life for you
8 to remember?

9 A. In general terms, I do remember it, sir, but I do not
10 remember point by point what it is that the sicarios did.

11 Q. Now, General Aristides was not the only high-ranking
12 government official that you murdered, correct?

13 A. Correct, sir.

14 Q. You also murdered an individual named Alfredo Landeverde,
15 correct?

16 A. Yes, sir.

17 Q. Now, tell the jury, what was his job?

18 A. He was police -- law enforcement adviser, sir.

19 Q. He was involved in antidrug activity, correct?

20 A. Yes, sir.

21 Q. And you discussed his murder with the prosecutors, correct?

22 A. Correct, sir.

23 Q. And you told them, when you first discussed the murder with
24 them, that the reason Mr. Landeverde was killed was because he
25 had made some comments on television criticizing another drug

L3BKRAM4

Rivera Maradiaga - Cross

1 dealer, Ramon Matta, and his family, correct?

2 A. Correct, sir.

3 Q. And the first time that you discussed the murder of Alfredo
4 Landeverde with the government, you didn't tell them that you
5 were involved in that murder, correct?

6 A. Correct, sir.

7 Q. So, now let's take a step back. You told us that you began
8 cooperating with the government in 2013, correct?

9 A. Yes, sir.

10 Q. When you met with the government, at first, you met with
11 special agents of the DEA, correct?

12 A. Yes, sir.

13 Q. Before you met with the agents of the DEA, you negotiated
14 some terms with them so that you wouldn't get arrested when you
15 met with them, correct?

16 A. Can you please ask the question differently, sir? I'm not
17 quite understanding it.

18 Q. All right. I'll break it down.

19 The first meeting that you had with agents of the DEA
20 was with Agent Sandy Gonzalez, correct?

21 A. I do not remember if it was he, sir, because I have met
22 with a lot of agents, and I do not recall with whom I met
23 first, sir.

24 Q. Was your meeting -- your first meeting with the DEA, that
25 was an important event in your life, correct?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. Yes, sir.

2 Q. But you don't remember the agent that you met with?

3 A. I met with several agents, sir, and several prosecutors. I
4 do not remember.

5 Q. Now, the first meeting that you had was not in Honduras,
6 correct?

7 A. It was in several, sir; they were in Belize and Honduras
8 and other countries.

9 Q. I want to focus, Mr. Rivera, on the very first meeting that
10 you had with the DEA. That was not in Honduras, correct?

11 A. I don't recall whether it was in Honduras or in Belize,
12 sir.

13 Q. Was that meeting important to you?

14 A. Of course it was, sir.

15 Q. It was the first step that you took in negotiating a deal
16 with the government, correct?

17 A. Correct, sir.

18 Q. Now, do you remember going to Belize for the meeting?

19 A. Yes, sir.

20 Q. So, the first meeting was in Belize, correct?

21 A. I don't recall whether it was in Belize or whether it was
22 in Honduras, sir.

23 Q. Now, when you have the meeting, the first
24 meeting -- withdrawn, withdrawn.

25 Before the first meeting, did you or somebody on your

L3BKRAM4

Rivera Maradiaga - Cross

1 behalf contact the DEA and say, Mr. Rivera would like to come
2 and meet with the DEA?

3 A. That was through a lawyer, sir, Rene Soto Rios.

4 Q. Before you --

5 THE INTERPRETER: Interpreter correction:

6 A. That was through my lawyer, sir, Rene Soto Rios.

7 Q. Before you contacted the DEA, you hired a lawyer, correct?

8 A. Correct, sir.

9 Q. And that was an American lawyer, correct?

10 A. Yes, sir.

11 Q. And you had your American lawyer, Rene Soto Rios, reach out
12 to the DEA, correct?

13 A. Correct, sir.

14 Q. Now, you would not want to meet with the DEA in Honduras
15 because that might be dangerous for you, correct?

16 A. I met in all countries with them, sir. I felt no fear
17 after I met with my lawyer, sir.

18 Q. And the reason you felt no fear is because your lawyer
19 negotiated an arrangement with the DEA that you could go talk
20 to them and they won't arrest you, correct?

21 A. I did not know whether they were going to arrest me or not,
22 sir.

23 Q. So, is it your testimony, Mr. Rivera, that the very first
24 time you walked in to meet with the DEA, you thought, I might
25 get arrested?

L3BKRAM4

Rivera Maradiaga - Cross

1 A. I thought a little bit of everything, sir.

2 Q. Did you think, when you went to the meeting, sir, that you
3 were going to get arrested?

4 A. In my thoughts, yes, that thought did come into my mind,
5 sir.

6 Q. How long before you actually had the meeting did you hire
7 Mr. Soto Rios?

8 A. First off, I met with the lawyer, sir, and then we met with
9 the U.S. Government, sir.

10 Q. Right. So, what I'm asking you, Mr. Rivera, is: How long
11 after you actually met with the government of the United States
12 for the first time did you hire the lawyer? How much before
13 the meeting did you hire the lawyer?

14 A. Approximately, sir, between one and two months.

15 Q. And it took your lawyer some time to negotiate with the DEA
16 so that you could go and have that meeting, correct?

17 THE INTERPRETER: Repeat your response for the
18 interpreter.

19 A. Approximately a couple of months, sir.

20 MR. MOSKOWITZ: Judge, may I have one moment, please?
21 I just have to get a document.

22 (Pause)

23 Q. Mr. Rivera, the first meeting that you had with the United
24 States Government was on November 20, 2013; is that correct?

25 A. I don't recall clearly the date, sir, but it was around

L3BKRAM4

Rivera Maradiaga - Cross

1 then, the month of November, sir.

2 Q. And it was in Belize, correct?

3 A. I don't recall whether it was in Belize or in Honduras,
4 sir.

5 Q. Do you remember meeting with Agent Maynard, Peter Maynard?

6 A. An agent from Miami, sir.

7 Q. I didn't ask you where he was from. I'm trying to find out
8 if you remember who you met with in your first meeting with the
9 government.

10 A. I don't recall, sir. I met with several prosecutors, with
11 my lawyer, and several DEA agents, sir.

12 Q. Now, when you met with the agents for the first time, they
13 talked to you about how important it was for you to tell the
14 truth, correct?

15 A. Correct, sir.

16 Q. And they explained to you that if you were going to make a
17 deal with the government, you would have to be truthful,
18 correct?

19 A. Correct, sir.

20 Q. That if you lied, you would never get a deal, correct?

21 A. Correct, sir.

22 Q. And they even told you that if you lied after you signed
23 the deal, they'd rip up your agreement, correct?

24 A. Correct, sir.

25 Q. And when you met with the government the very first time,

L3BKRAM4

Rivera Maradiaga - Cross

1 you wanted to get a deal, right?

2 A. Yes, sir. That was what the meeting was for, so that I
3 could start working with them.

4 Q. Now, after the very first meeting, you met with the
5 government a lot of times, correct?

6 A. Correct, sir.

7 Q. And at the beginning of every meeting, the representatives
8 of the government reminded you that you have to tell the truth?

9 A. Correct, sir.

10 Q. And they reminded you -- I'm sorry?

11 A. Correct, sir.

12 Q. And they reminded you that if you didn't tell the truth,
13 you wouldn't get a deal, correct?

14 A. They told me to tell the truth, sir.

15 Q. And one of the things they explained to you was that
16 withholding information was also a lie, correct?

17 A. They only explained, sir, that I had to tell the truth,
18 sir.

19 Q. Mr. Rivera, in any of your meetings with the prosecutors or
20 with the agents, did they tell you that holding back
21 information that you knew was the same thing as telling a lie?

22 A. They did not say that, sir. They only said to tell the
23 truth, sir.

24 THE COURT: All right, ladies and gentlemen. Let's
25 take our mid-afternoon break. Please do not discuss the case

L3BKRAM4

Rivera Maradiaga - Cross

1 among yourselves or with anyone. We'll be back in action in
2 ten minutes. Thank you very much.

3 Please remain until the jurors have cleared the
4 elevator lobby.

5 And please, if you don't mind, let the witness leave.

6 THE INTERPRETER: Yes, of course.

7 THE COURT: Thank you.

8 (Recess)

L3BHRAM5

Rivera Maradiaga - Cross

1 THE COURT: Remain seated, please.

2 All right. Mr. Moskowitz, whenever you're ready.

3 MR. MOSKOWITZ: Thank you, your Honor.

4 BY MR. MOSKOWITZ:

5 Q. Mr. Rivera, before we broke we were talking about the
6 instructions that you got from the prosecutors and the agents
7 at every meeting. Do you remember that?

8 A. Yes, sir.

9 Q. And you told us that the agents or the prosecutors always
10 told you to make sure you tell the truth, correct?

11 A. Yes.

12 Q. The whole truth, correct?

13 A. The truth, sir.

14 Q. You understand, sir, that if two people commit a crime and
15 you're one of them and the government asks you to tell them
16 about the crime and you tell them only about the other person,
17 that's not telling the truth, correct?

18 A. The truth is the truth, sir.

19 Q. So now I want to ask you again about the murder of Ramon
20 Landaverde -- Alfredo Landaverde. You remember that murder,
21 correct?

22 A. Yes, sir.

23 Q. You were involved in that murder, correct?

24 A. Yes, sir.

25 MR. MOSKOWITZ: Your Honor --

L3BHRAM5

Rivera Maradiaga - Cross

1 THE INTERPRETER: Your Honor, on the behalf of
2 interpreter team, can the interpreters be given the time to
3 complete the rendition before the next question?

4 THE COURT: Yes.

5 MR. MOSKOWITZ: Your Honor, I apologize. It's my
6 fault.

7 THE COURT: So let's get into the tempo. It requires
8 discipline.

9 THE INTERPRETER: Thank you.

10 THE COURT: Question, please.

11 BY MR. MOSKOWITZ:

12 Q. When you spoke to the government about the murder of
13 Alfredo Landaverde the first time, you told them that Ramon
14 Matta was the one who was responsible for killing Landaverde,
15 and you did not tell them that you were involved?

16 A. Correct, sir.

17 Q. In fact, what you told the government was that you learned
18 about the murder of Landaverde a couple of weeks later,
19 correct?

20 A. I don't recall that, sir.

21 Q. Now, you knew when the government asked you, obviously,
22 that you were involved in that murder, correct?

23 A. Yes, sir. I knew what the government was asking me, but at
24 that moment I held back information, sir. Then I came to an
25 agreement with my lawyer, and then I told the government the

L3BHRAM5

Rivera Maradiaga - Cross

1 whole truth, sir, because at that time I had my reasons, sir.

2 Q. So the government told you if you lie, you won't get a
3 deal, correct?

4 A. Correct, sir.

5 Q. They told -- I'm sorry. Gee, I'm sorry.

6 They told that to you before every meeting, correct?

7 THE INTERPRETER: Your Honor, may the interpreter
8 request repetition of the response, please?

9 THE COURT: Please repeat your response.

10 A. I remember that my plea agreement was signed in 2016.

11 Q. I understand that, Mr. Rivera. I'm asking you about the
12 meetings that you had before you got your plea agreement. Do
13 you remember those meetings?

14 A. Yes, sir.

15 Q. In fact, you met with the government more than 20 times
16 before you signed your cooperation agreement, isn't that
17 correct?

18 A. It was -- it was many times, sir.

19 MR. MOSKOWITZ: Ms. Hurst, can we put up on the
20 witness' screen 3501-73.

21 Q. Mr. Rivera, do you see up on your screen a document that
22 is -- has the numbers 3501-73 for identification?

23 A. I'm not seeing it, sir.

24 Q. The numbers are down on the bottom, but I want you to look
25 at the document.

L3BHRAM5

Rivera Maradiaga - Cross

1 Ms. Hurst, can we move down to the second page,
2 please.

3 Do you recognize that document?

4 A. I don't recognize it, sir, because it's in English, and I
5 can't speak English. Nor can I read it, sir.

6 Q. Do you know how to write?

7 A. I do know how to write, sir, but not in English.

8 Q. Do you know how to sign your signature?

9 A. Yes, sir.

10 Q. Would you look at the bottom of the page that's on your
11 screen and tell me if you recognize your signature on the page.

12 A. It looks like mine, sir.

13 Q. Before every meeting that you had with the government, did
14 they make -- did they ask you to sign a document saying that
15 you understood the terms under which the meeting was taking
16 place?

17 A. Yes, sir.

18 Q. And are those your initials on the document on the screen?

19 A. They resemble -- they look like mine, sir.

20 Q. And before every meeting, did the prosecutor explain to you
21 what was in the document and what were the rules governing your
22 meeting?

23 A. What the prosecutor told me was to tell the truth, sir.

24 MR. MOSKOWITZ: Your Honor, at this time I offer into
25 evidence 3501-73, which we can mark as Defendant's Exhibit A.

L3BHRAM5

Rivera Maradiaga - Cross

1 THE COURT: Any objection?

2 MR. LOCKARD: No, your Honor.

3 THE COURT: Received.

4 (Defendant's Exhibit A received in evidence)

5 MR. MOSKOWITZ: Could we have that published to the
6 jury, please. Let's start with the first page.

7 BY MR. MOSKOWITZ:

8 Q. Now, Mr. Rivera, when you met with the government the first
9 couple of meetings, let's say, did you -- did they tell you
10 that the information that they were -- that you were going to
11 give them would be used to evaluate whether or not you would
12 get a cooperation agreement?

13 A. I don't recall, sir, because we had several meetings, sir.

14 Q. You don't recall the instructions or what the government
15 told you about the rules for the meeting?

16 A. The instructions were to tell them the truth, sir. But we
17 were focused on talking about several drug traffickers, drug
18 trafficking politicians.

19 Q. During the meetings that you were having with the
20 government, you decided when you wanted to tell the truth and
21 when you were not going to tell the truth?

22 A. I was honest, sir, telling the truth when I met with them,
23 sir.

24 Q. Well, you didn't tell them the truth about the murder of
25 Alfredo Landaverde.

L3BHRAM5

Rivera Maradiaga - Cross

1 A. I withheld information at that time, sir, because my family
2 was out, and I was afraid that the drug trafficking politicians
3 would kill them, sir.

4 Q. Did you tell the government when you were meeting with
5 them: Listen, this subject I can't talk to you about until my
6 family is safe?

7 A. No sir, I did not say that to them.

8 Q. In fact, at the beginning of every meeting when the
9 government told you and reminded you to tell the truth, you
10 said to them, OK, I'll tell the truth, right?

11 A. Correct, sir.

12 Q. And by the way, when you met with the government, they told
13 you that lying to prosecutors or lying to agents is a crime,
14 correct?

15 A. Correct, sir.

16 Q. But you lied to them anyway?

17 A. I withheld information, as I told you before, sir, because
18 it came to my mind that the drug trafficking politicians were
19 going to kill my family, sir.

20 Q. So you decided when it was good for you to lie, correct?

21 A. I had a meeting, as I told you before, with my lawyer, sir,
22 and that's when we agreed that --

23 THE INTERPRETER: Your Honor, the -- may the
24 interpreter confer with his colleague?

25 THE COURT: You may.

L3BHRAM5

Rivera Maradiaga - Cross

1 THE INTERPRETER: Thank you, your Honor.

2 A. I met with my lawyer, and we agreed that it had been 78
3 deaths, and then I told that to the prosecutors.

4 Q. Mr. Rivera, before your meeting with the prosecutor --
5 before your meeting with your lawyer where you decided you were
6 going to tell the truth, your lawyer told you you had to tell
7 the truth, right?

8 A. Of course he did, sir.

9 Q. In fact, when you went to the meetings with the government,
10 your lawyer was there, right?

11 A. Yes, sir.

12 Q. And when the government would tell you to tell the truth,
13 he would say, yes, Mr. Rivera, you're going to tell the truth,
14 right?

15 A. The lawyer said to be truthful with the prosecutors, sir.

16 Q. So until that meeting where you decided to come clean, you
17 lied to your lawyer too, correct?

18 A. Yes, sir, I lied to him based on the reasons that I have
19 already repeated to you, sir.

20 Q. Now, in your meetings when you were lying, you were talking
21 to the government about narco-trafficking in Honduras, correct?

22 A. We were talking directly about murders, sir.

23 Q. Let's take a step back.

24 A. OK, sir.

25 Q. I'm sorry. In some meetings you discussed drug

L3BHRAM5

Rivera Maradiaga - Cross

1 trafficking, correct?

2 A. Yes, sir.

3 Q. In some meetings you discussed murders, correct?

4 A. We talked about murders once I had already surrendered and
5 was here in the United States, sir. When the meetings were
6 held in Belize, Honduras, and in other countries, we were
7 focusing on discussions about drug trafficking politicians and
8 drug traffickers, sir.

9 Q. And you understood that if the narco-traffickers and the
10 corrupt politicians in Honduras found out that you were talking
11 to the DEA, that could be a problem for you?

12 A. Of course, sir.

13 Q. And it didn't make a difference whether you didn't discuss
14 murders at all if you just told the DEA about the
15 narco-trafficking and the corruption and your colleagues in
16 Honduras found out, that could be a problem for you, correct?

17 A. As I will repeat, sir, we were focusing on talking about
18 drug trafficking, about drug trafficking politicians. We only
19 spoke about murders once I had surrendered and was here in the
20 United States, sir.

21 Q. Now, from the perspective of the danger to you and your
22 family, talking about murders was the same thing as talking
23 about narco-trafficking, correct?

24 A. I would not talk with my family about drug trafficking,
25 sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 Q. I think you misunderstood the question, sir. Let's try
2 again. Sorry.

3 A. If you could please repeat the question.

4 Q. You told us that the reason you lied to the government and
5 withheld information about, for example, the Landaverde murder,
6 was because you were afraid for your family, correct?

7 A. Yes, sir.

8 Q. At the same time that you were lying about the Landaverde
9 murders, you were telling the government about
10 narco-traffickers that were operating in Honduras, correct?

11 A. Yes, but once again I'll repeat, sir, I started talking
12 about murders once I was already here in the United States.

13 Q. Go ahead.

14 A. Allow me, please.

15 Whenever I would talk with the prosecutors and the DEA
16 in other countries, we were focusing, sir, as I will repeat
17 again, that -- on drug traffickers and drug trafficking
18 politicians, sir. We did not talk about murders, sir.

19 Q. You began talking about murders once you came to the United
20 States, correct?

21 A. Correct, sir.

22 Q. And you came to the United States in January of 2015,
23 correct?

24 A. Correct, sir.

25 Q. And your family came sometime thereafter, correct?

L3BHRAM5

Rivera Maradiaga - Cross

1 A. Yes, sir.

2 Q. When did they arrive?

3 THE INTERPRETER: Your Honor, again, may the
4 interpreter please be able to --

5 MR. MOSKOWITZ: I'm sorry.

6 THE INTERPRETER: -- complete her interpretations.
7 Thank you. The interpreter -- I'm not sure if there was an
8 answer.

9 MR. MOSKOWITZ: Let me rephrase the question.

10 THE INTERPRETER: Thank you.

11 BY MR. MOSKOWITZ:

12 Q. When did you your family come to the United States?

13 A. I do not recall, sir.

14 Q. You were very worried about your family, correct?

15 A. I love my family, sir.

16 Q. And you were very worried about them when they were in
17 Honduras and you were in the United States?

18 A. Correct, sir.

19 Q. It was on your mind every minute of every day, correct?

20 A. Yes, sir.

21 Q. And you repeatedly raised the issue with the government of
22 bringing them here, correct?

23 A. I paid an attorney -- my family paid an immigration
24 attorney to start the process to bring them here, sir.

25 Q. You asked the United States government to help you bring

L3BHRAM5

Rivera Maradiaga - Cross

1 your family over, correct?

2 A. Yes, sir, through the immigration attorney.

3 Q. You discussed with the prosecutors in the Southern District
4 of New York helping to expedite your family's immigration?

5 A. The attorney handled that, sir.

6 Q. At your request your attorney spoke with the prosecutors in
7 the Southern District to get their help with your
8 immigration -- with the immigration issues for your family,
9 correct?

10 A. Yes, sir.

11 Q. And your family's arrival in the United States, after some
12 period of worry on your part, that was an important day in your
13 life, correct?

14 A. Of course it was, sir.

15 Q. But you don't remember when that was?

16 A. That was, sir, approximately three to five months after I
17 had surrendered here in the United States.

18 Q. And is it your testimony, Mr. Rivera, that after your
19 family arrived in the United States, that's when you stopped
20 lying to prosecutors?

21 A. Yes, sir, but I am referring to my other family, sir.

22 My -- the mother of my children and my other children were in
23 Honduras, sir. They were also in danger in Honduras given the
24 information that I had regarding the drug traffickers and the
25 drug trafficking politicians, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 Q. So even after your biological family or your immediate
2 family arrived in the United States, you still had family in
3 Honduras that you were concerned about, correct?

4 A. Correct, sir.

5 Q. So you still had reason, even after your family got here,
6 to lie to the government to protect your family in Honduras,
7 correct?

8 A. As I will repeat, sir, I withheld information out of fear
9 that my family in Honduras might be killed by drug trafficking
10 politicians. Once I came to an agreement with my lawyer, I
11 told the prosecutors all the truth about the murders, sir.

12 Q. So forgive me. Help me understand. When you discussed the
13 Landaverde murders, the murder, it was OK for you and safe for
14 your family to accuse Ramon Matta of killing Landaverde, but it
15 wasn't OK for you to admit you participated?

16 A. Well, at the time I withheld information that I later gave
17 to the prosecutors that Mr. Matta killed Landaverde, sir, but
18 it was Mr. Matta who sought me out to carry out the murder of
19 Landaverde, sir.

20 Q. Sir, my question to you is when you -- you said that you
21 lied about the Landaverde murder because you were concerned for
22 the safety of your family, correct?

23 A. Yes, sir.

24 Q. And you were afraid -- you were afraid that the traffickers
25 that were left behind in Honduras would harm your family,

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Rivera Maradiaga - Cross

1 correct?

2 A. The traffickers and the drug trafficking politicians, sir.

3 Q. And when you were asked about the Landaverde murder, Matta
4 was still in Honduras?

5 A. I don't know that, sir.

6 Q. But you felt safe pointing the finger at Matta and not
7 admitting your own responsibility?

8 A. Once again, sir, as I already said, I did not admit my
9 responsibility at that time, but later on I did tell the truth
10 to the prosecutors about how the events had taken place, sir.

11 MR. MOSKOWITZ: Ms. Hurst, can we look at the second
12 page of 3501-73, Defendant's Exhibit A.

13 Q. Mr. Rivera, looking down at the bottom of the page, every
14 time you met with the prosecution, you initialed the agreement,
15 correct?

16 A. Yes, sir.

17 Q. By the way, just so that it's very clear, when you met with
18 the prosecutor, there was always an interpreter there, correct?

19 A. Yes, sir.

20 Q. And when you first met with the prosecutor and you signed
21 Defendant's Exhibit A, the agreement was read to you in
22 Spanish?

23 THE INTERPRETER: Your Honor, may the interpreter seek
24 clarification from the witness?

25 THE COURT: Yes.

L3BHRAM5

Rivera Maradiaga - Cross

1 A. I do remember that a document was read for me in Spanish,
2 and I remember signing it, sir.

3 Q. And you understood that it was an important document,
4 right?

5 A. Yes, sir.

6 Q. And not only was the document read to you, your lawyer
7 explained it to you, correct?

8 A. He did explain it to me on several occasions, sir.

9 Q. And the prosecutors that you were meeting with also
10 explained it to you on several occasions, correct?

11 A. Yes, sir.

12 Q. And before every meeting the prosecutor would say, we're
13 going to sign this agreement, and the terms of the agreement
14 are the same as the last meeting, correct?

15 THE COURT: I think you're repeating yourself,
16 Mr. Moskowitz.

17 MR. MOSKOWITZ: I'll move on, Judge.

18 THE COURT: Go ahead. Go ahead. Translate the
19 question. Go ahead.

20 A. Correct, sir.

21 Q. Now I'd like you to take a look at the initials --
22 withdrawn.

23 On the bottom of the second page of the document there
24 are some dates. Do you see those?

25 A. Yes, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 MR. MOSKOWITZ: And then could we move down to the
2 third page, please.

3 Q. So every time you had a meeting and you signed the
4 document, it was dated, correct?

5 A. Yes, sir.

6 Q. So looking at the dates of the meetings, Mr. Rivera, can
7 you tell us which meeting was it that you decided, now I'm
8 going to tell the whole truth?

9 A. I do not remember, sir. It was many meetings, sir.

10 Q. So whether you told -- whether you're telling the truth or
11 not, that's totally up to you, correct?

12 A. My obligation is to tell the truth, sir. That is my job.

13 Q. I'd like to talk to you about the murders of the
14 journalists. The first journalist that you murdered was Nahum
15 Palacios, N-a-h-u-m, P-a-l-a-c-i-o-s.

16 A. Correct, sir.

17 Q. And Palacios worked at a television station in Tocoa,
18 correct?

19 A. Yes, sir.

20 Q. And one time Mr. Palacios went on television and he said
21 some bad things about a narco-trafficker called Midence,
22 Midence, correct?

23 A. Correct, sir.

24 Q. And Midence was also a politician, right?

25 A. Correct, sir.

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Rivera Maradiaga - Cross

1 Q. So he was one of those corrupt politicians who was also a
2 narco-trafficker, correct?

3 A. Correct, sir.

4 Q. Now, after Mr. Palacios said those nasty things about
5 Midence on television, you paid him 50,000 lempiras to say nice
6 things about Midence, right?

7 A. I don't remember that, sir.

8 Q. Do you remember telling the government that you paid
9 Mr. Palacios 50,000 lempiras to say nice things about your
10 friend, Mr. Midence?

11 A. I do not remember that, sir.

12 Q. At some point Mr. Palacios again criticized Midence on
13 television, correct?

14 A. Yes, sir.

15 Q. So you sent three sicarios to murder him, correct?

16 A. I do not remember if it was three, sir, but there were
17 several.

18 Q. When they shot Mr. Palacios, they also killed his
19 girlfriend, correct?

20 A. I do not remember that, sir.

21 Q. Do you remember the name Yorleny Sanchez?

22 THE INTERPRETER: For the interpreter, please, the
23 name?

24 MR. MOSKOWITZ: Y-o-r-l-e-n-y, S-a-n-c-h-e-z.

25 A. I do not remember it, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 MR. MOSKOWITZ: Can we have Government Exhibit 10 put
2 up on the screen for Mr. Rivera, and I'd like you to focus in
3 on Appendix A, No. 24.

4 Q. Yorleny Sanchez was one of the murders you admitted
5 responsibility for, correct?

6 A. I do not remember, sir, but I admitted to 78 murders, sir.

7 Q. Did you provide the government with the names on Appendix A
8 of the people that you murdered?

9 A. Yes, sir, of the persons, yes, sir, but there were times
10 when there were deaths of people whom I did not know, sir.

11 Q. When the sicarios reported back to you that they had killed
12 Mr. Palacios, they didn't tell you that they also killed his
13 girlfriend?

14 A. I just remember that they killed Mr. Palacios, sir, that's
15 what they told me, sir.

16 Q. So how did you know to accept responsibility for the murder
17 of Ms. Sanchez?

18 A. I admitted to the 78 murders, sir.

19 Q. Mr. Rivera, did you admit to murders because the government
20 told you you had to, or did you admit to murders because you
21 knew you committed them and you told the government about it?

22 A. At a given time I did tell the government, sir, that there
23 were 78 murders, but once again, I would repeat, there were
24 times when certain people died whom I did not know, sir.

25 Q. So how did you know to take responsibility for the murder

L3BHRAM5

Rivera Maradiaga - Cross

1 of Ms. Sanchez?

2 A. Can you please repeat the question, sir.

3 Q. How did you know, if you didn't remember Ms. Sanchez and
4 you didn't remember her murder, how did you know that you were
5 supposed to take responsibility for her murder?

6 A. I did accept responsibility for the murder of Nahum
7 Palacios, sir, but I do not remember if there were others that
8 were dead at the same time, sir. I do not remember that right
9 now.

10 Q. Did the government tell you that when Mr. Palacios was
11 killed, his girlfriend, who was a doctor, was also killed?

12 A. I do not recall that, sir.

13 Q. So as you sit here today, Mr. Rivera, you can't tell us why
14 you accepted responsibility for the murder of Dr. Sanchez, is
15 that correct?

16 A. I accept responsibility for Nahum's murder, sir, but in
17 terms of third parties who might have been injured or hurt, I
18 do not remember them, sir.

19 Q. Let's move to another journalist. You remember the murder
20 of Anabel Barrow?

21 A. Anibal Barrow, sir, that's the correct name.

22 Q. Now, the Cachiros were sanctioned by OFAC twice, correct?

23 A. Correct, sir.

24 Q. And do you remember when the first time was?

25 A. Approximately in May, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 Q. Of 2013?

2 A. Correct, sir.

3 Q. Now, after you were sanctioned the first time by OFAC, a
4 journalist started to criticize the Cachiros in Honduras,
5 correct?

6 A. Correct, sir.

7 Q. And your brother Javier came and showed you a picture of
8 the journalist, correct?

9 A. The journalist that was going to be killed, sir.

10 Q. Correct. He showed you a picture, right?

11 A. Correct, sir.

12 Q. And you and Javier decided that since he was criticizing
13 your drug organization, you were going to have him killed?

14 A. Yes, sir.

15 Q. And you ended up hiring a sicario, correct?

16 A. Yes.

17 Q. An individual by the name of Carlos Loera?

18 A. Correct, sir.

19 Q. And he hooked up with a guy by the name of Lewin Zelaya,
20 correct?

21 A. Correct, sir.

22 Q. And they ended up kidnapping Mr. Barrow, right?

23 A. Yes, sir.

24 Q. And they killed him, right?

25 A. They killed him by mistake, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 Q. He was the wrong journalist, correct? They got the wrong
2 guy?

3 A. Correct, sir. Right, sir.

4 Q. Did you pay Mr. Zelaya for that murder?

5 THE INTERPRETER: Please repeat the question for the
6 interpreter.

7 Q. Did you pay Mr. Zelaya and Mr. Loera for killing the wrong
8 guy?

9 A. No, sir.

10 Q. I asked you earlier this morning about whether you killed
11 any children. Remember that?

12 A. Yes, sir.

13 Q. There was a drug trafficker that you knew named Tonio,
14 T-o-n-i-o, correct?

15 A. Yes, sir.

16 Q. And you hired a sicario named Leonel to kill Tonio, right?

17 A. Yes, me and Eliel Sierra, sir.

18 Q. Well, you hired the sicario at the request of Eliel Sierra,
19 right?

20 A. Correct, sir.

21 Q. You had no beef with Tonio, right?

22 A. Yes, sir.

23 Q. Eliel Sierra was the one who had a dispute with Tonio,
24 right?

25 A. Both of us had disputes, sir.

L3BHRAM5

Rivera Maradiaga - Cross

1 Q. Well, Eliel Sierra was upset with Tonio because Tonio would
2 not loan him a truck to transport some drugs, correct?

3 A. Because of that and for several other things, sir.

4 Q. And so the two of you decided it would be a good idea to
5 kill Tonio, right?

6 A. Yes, sir.

7 Q. And Leonel went and followed Tonio, correct?

8 A. Yes, he and his sicario.

9 Q. And they shot up Tonio's car, correct?

10 A. Yes, sir.

11 Q. Tonio wasn't in the car, right?

12 A. No, sir.

13 Q. His daughter was in the car, right?

14 A. Yes, sir.

15 Q. And she was the one who got killed, right?

16 A. Yes, sir.

17 Q. You don't even know her name, right?

18 A. No.

19 Q. Or how old she was?

20 A. No, sir.

21 Q. Now, I asked you this morning briefly about an individual
22 known as El Chino.

23 THE COURT: All right. This is a good breaking point.
24 Ladies and gentlemen, we're going to break for the day. Please
25 do not discuss the case among yourselves or with anyone. You

L3BHRAM5

Rivera Maradiaga - Cross

1 don't go home and chat about it with others. You don't do any
2 Internet searches. And please keep an open mind.

3 Do have a pleasant evening. I think the weather is
4 still pretty nice out there, so enjoy it. Stay safe. See you
5 tomorrow at 9:30.

6 Please remain in the courtroom until the jurors clear
7 the elevator lobby.

8 (Jury excused)

9 THE COURT: OK. Thank you.

10 MR. MOSKOWITZ: Thank you, Judge. Good night.

11 THE COURT: Good night, now.

12 (Adjourned to March 12, 2021, at 9:30 a.m.)
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